

FIRST REGULAR SESSION

HOUSE BILL NO. 924

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WIGGINS, KREIDER, CRUMP, FOLEY, KOLLER,
BOWMAN AND RELFORD (Co-sponsors).

Read 1st time March 5, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2090L.021

AN ACT

To repeal sections 142.803, 144.020, 144.440, 144.700, 226.200, 227.020, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.541, 304.012, 306.112, 306.117, 556.061, 577.012, 577.020 and 577.037, RSMo 2000, and to enact in lieu thereof twenty-two new sections relating to transportation and public infrastructure, with penalty provisions and a referendum clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 142.803, 144.020, 144.440, 144.700, 226.200, 227.020, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.541, 304.012, 306.112, 306.117, 556.061, 577.012, 577.020 and 577.037, RSMo 2000, are repealed and twenty-two new sections enacted in lieu thereof, to be known as sections 142.803, 144.020, 144.440, 144.700, 226.200, 226.1000, 227.020, 227.107, 302.302, 302.304, 302.309, 302.505, 302.510, 302.520, 302.541, 304.012, 306.112, 306.117, 556.061, 577.012, 577.020 and 577.037, to read as follows:

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, [seventeen] **nineteen** cents per gallon[. Beginning April 1, 2008, the tax rate shall become eleven cents per gallon];

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

10 determination by the director of the power potential equivalent of such alternative fuel shall be
11 prima facie correct;

12 (3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per
13 gallon as levied and imposed by section 155.080, RSMo, to be collected as required under this
14 chapter.

15 2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be
16 precollected as described in this chapter, for the facility and convenience of the consumer. The
17 levy and assessment on other persons as specified in this chapter shall be as agents of this state
18 for the precollection of the tax.

144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of
2 engaging in the business of selling tangible personal property or rendering taxable service at
3 retail in this state. The rate of tax shall be as follows:

4 (1) Upon every retail sale in this state of tangible personal property, a tax equivalent to
5 four **and three-quarters** percent of the purchase price paid or charged, or in case such sale
6 involves the exchange of property, a tax equivalent to four **and three-quarters** percent of the
7 consideration paid or charged, including the fair market value of the property exchanged at the
8 time and place of the exchange, except as otherwise provided in section 144.025;

9 (2) A tax equivalent to four **and three-quarters** percent of the amount paid for
10 admission and seating accommodations, or fees paid to, or in any place of amusement,
11 entertainment or recreation, games and athletic events;

12 (3) A tax equivalent to four **and three-quarters** percent of the basic rate paid or charged
13 on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic,
14 commercial or industrial consumers;

15 (4) A tax equivalent to four **and three-quarters** percent on the basic rate paid or charged
16 on all sales of local and long distance telecommunications service to telecommunications
17 subscribers and to others through equipment of telecommunications subscribers for the
18 transmission of messages and conversations and upon the sale, rental or leasing of all equipment
19 or services pertaining or incidental thereto; except that, the payment made by
20 telecommunications subscribers or others, pursuant to section 144.060, and any amounts paid
21 for access to the Internet or interactive computer services shall not be considered as amounts paid
22 for telecommunications services;

23 (5) A tax equivalent to four **and three-quarters** percent of the basic rate paid or charged
24 for all sales of services for transmission of messages of telegraph companies;

25 (6) A tax equivalent to four **and three-quarters** percent on the amount of sales or
26 charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant,
27 eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms,

28 meals or drinks are regularly served to the public;

29 (7) A tax equivalent to four **and three-quarters** percent of the amount paid or charged
30 for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car,
31 boat, airplane and such buses and trucks as are licensed by the division of motor carrier and
32 railroad safety of the department of economic development of Missouri, engaged in the
33 transportation of persons for hire;

34 (8) A tax equivalent to four **and three-quarters** percent of the amount paid or charged
35 for rental or lease of tangible personal property, provided that if the lessor or renter of any
36 tangible personal property had previously purchased the property under the conditions of "sale
37 at retail" as defined in subdivision (8) of section 144.010 or leased or rented the property and the
38 tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall
39 not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from
40 that property. The purchase or use of motor vehicles, trailers, boats, and outboard motors shall
41 be taxed and the tax paid as provided in sections 144.070 and 144.440. No tax shall be collected
42 on the rental or lease of motor vehicles, trailers, boats, and outboard motors, except as provided
43 in sections 144.070 and 144.440. In no event shall the rental or lease of boats and outboard
44 motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or
45 recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such
46 places of amusement, entertainment or recreation. Rental and leased boats or outboard motors
47 shall be taxed under the provisions of the sales tax laws as provided under such laws for motor
48 vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under
49 section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease
50 or rental thereof.

51 2. All tickets sold which are sold under the provisions of sections 144.010 to 144.525
52 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the
53 words "This ticket is subject to a sales tax."

144.440. 1. In addition to all other taxes now or hereafter levied and imposed upon
2 every person for the privilege of using the highways or waterways of this state, there is hereby
3 levied and imposed a tax equivalent to four **and three-quarters** percent of the purchase price,
4 as defined in section 144.070, which is paid or charged on new and used motor vehicles, trailers,
5 boats, and outboard motors purchased or acquired for use on the highways or waters of this state
6 which are required to be registered [under] **pursuant to** the laws of the state of Missouri.

7 2. At the time the owner of any such motor vehicle, trailer, boat, or outboard motor
8 makes application to the director of revenue for an official certificate of title and the registration
9 of the same as otherwise provided by law, [he] **such owner** shall present to the director of
10 revenue evidence satisfactory to the director showing the purchase price paid by or charged to

11 the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that the
12 motor vehicle, trailer, boat, or outboard motor is not subject to the tax herein provided and, if the
13 motor vehicle, trailer, boat, or outboard motor is subject to the tax herein provided, the applicant
14 shall pay or cause to be paid to the director of revenue the tax provided herein.

15 3. In the event that the purchase price is unknown or undisclosed, or that the evidence
16 thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisement by
17 the director.

18 4. No certificate of title shall be issued for such motor vehicle, trailer, boat, or outboard
19 motor unless the tax for the privilege of using the highways or waters of this state has been paid
20 or the vehicle, trailer, boat, or outboard motor is registered [under] **pursuant to** the provisions
21 of subsection 5 of this section.

22 5. The owner of any motor vehicle, trailer, boat, or outboard motor which is to be used
23 exclusively for rental or lease purposes may pay the tax due thereon required in section 144.020
24 at the time of registration or in lieu thereof may pay a use tax as provided in sections 144.010,
25 144.020, 144.070 and 144.440. A use tax shall be charged and paid on the amount charged for
26 each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is
27 domiciled in the state. If the owner elects to pay upon each rental or lease, [he] **said owner** shall
28 make an affidavit to that effect in such form as the director of revenue shall require and shall
29 remit the tax due at such times as the director of revenue shall require.

30 6. In the event that any leasing company which rents or leases motor vehicles, trailers,
31 boats, or outboard motors elects to collect a use tax, all of its lease receipt would be subject to
32 the use tax, regardless of whether or not the leasing company previously paid a sales tax when
33 the vehicle, trailer, boat, or outboard motor was originally purchased.

34 7. The provisions of this section, and the tax imposed by this section, shall not apply to
35 manufactured homes.

144.700. 1. All revenue received by the director of revenue from the tax imposed by
2 sections 144.010 to 144.430 and 144.600 to 144.745, except that revenue derived from the rate
3 of one cent on the dollar of the tax which shall be held and distributed in the manner provided
4 in sections 144.701 and 163.031, RSMo, **and except that revenue derived from the rate of**
5 **three-quarters of one cent on the dollar of the tax which shall be held and distributed in**
6 **the manner prescribed in section 226.1000** shall be deposited in the state general revenue fund,
7 including any payments of the taxes made under protest.

8 2. The director of revenue shall keep accurate records of any payment of the tax made
9 under protest. In the event any payment shall be made under protest:

10 (1) A protest affidavit shall be submitted to the director of revenue within thirty days
11 after the payment is made; and

12 (2) An appeal shall be taken in the manner provided in section 144.261 from any
13 decision of the director of revenue disallowing the making of the payment under protest or an
14 application shall be filed by a protesting taxpayer with the director of revenue for a stay of the
15 period for appeal on the ground that a case is presently pending in the courts involving the same
16 question, with an agreement by the taxpayer to be bound by the final decision in the pending
17 case.

18 3. Nothing in this section shall be construed to apply to any refund to which the taxpayer
19 would be entitled under any applicable provision of law.

20 4. All payments deposited in the state general revenue fund that are made under protest
21 shall be retained in the state treasury if the taxpayer does not prevail. If the taxpayer prevails,
22 then taxes paid under protest shall be refunded to the taxpayer, with all interest income derived
23 therefrom, from funds appropriated by the general assembly for such purpose.

 226.200. 1. There is hereby created a "State Highways and Transportation Department
2 Fund" into which shall be paid or transferred all state revenue derived from highway users as an
3 incident to their use or right to use the highways of the state, including all state license fees and
4 taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the
5 privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales
6 tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held
7 for expenditure by or under the department of transportation or the state highways and
8 transportation commission, except:

9 (1) Money arising from the sale of bonds;

10 (2) Money received from the United States government; or

11 (3) Money received for some particular use or uses other than for the payment of
12 principal and interest on outstanding state road bonds.

13 2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid
14 or credited the cost:

15 (1) Of collection of all said state revenue derived from highway users as an incident to
16 their use or right to use the highways of the state;

17 (2) Of maintaining the state highways and transportation commission;

18 (3) Of maintaining the state transportation department;

19 (4) Of any workers' compensation for state transportation department employees;

20 (5) Of the share of the transportation department in any retirement program for state
21 employees, only as may be provided by law; and

22 (6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

23 3. [For all future fiscal years,] The total amount of appropriations from the state
24 highways and transportation department fund for all state offices and departments shall not

25 exceed the total amount appropriated for such offices and departments from said fund for fiscal
26 year 2001. **The total amount of appropriations from the state highways and transportation**
27 **department fund for all state offices and departments and for any purpose not related**
28 **directly to the constructing and maintaining of an adequate system of connected state**
29 **highways shall be reduced in fiscal year 2002 by one-fifth of the fiscal year 2001 level of**
30 **such appropriations; and shall be further reduced in fiscal year 2003 by one-fifth of the**
31 **fiscal year 2001 level of such appropriations; and shall be further reduced in fiscal year**
32 **2004 by one-fifth of the fiscal year 2001 level of such appropriations; and shall be further**
33 **reduced in fiscal year 2005 by one-fifth of the fiscal year 2001 level of such appropriations;**
34 **and shall as a result be reduced to zero in fiscal year 2006.**

35 4. The provisions of subsection 3 of this section shall not apply to appropriations from
36 the state highways and transportation department fund to the highways and transportation
37 commission and the state transportation department or to appropriations to the office of
38 administration for department of transportation employee fringe benefits and OASDHI payments,
39 or to appropriations to the department of revenue for motor vehicle fuel tax refunds under
40 chapter 142, RSMo, or to appropriations to the department of revenue for refunds or
41 overpayments or erroneous payments from the state highways and transportation department
42 fund.

43 5. All interest earned upon the state highways and transportation department fund shall
44 be deposited in and to the credit of such fund.

45 6. Any balance remaining in said fund after payment of said costs shall be transferred
46 to the state road fund.

47 7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any
48 funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo,
49 after April 1, 1992, shall not be used for administrative purposes or administrative expenses of
50 the transportation department.

226.1000. 1. The "State Sales Tax Transportation Fund" is hereby established.
2 **The revenue derived from the rate of three-quarters of one cent on the dollar of the tax**
3 **imposed by sections 144.010 to 144.030, RSMo, and sections 144.600 to 144.745, RSMo,**
4 **which shall be deemed to be local tax revenue, shall be deposited by the state treasurer in**
5 **the state sales tax transportation fund. Notwithstanding the provisions of section 33.080,**
6 **RSMo, to the contrary, moneys in the state sales tax transportation fund shall not revert**
7 **to the general revenue fund. Interest accruing to the fund shall be part of the fund.**

8 2. The state sales tax transportation fund shall, upon appropriation, be used by the
9 commission in the following manner:

10 (1) Fifteen percent of the moneys in the fund shall be used annually by the

11 **transportation department for the purpose of locating, relocating, establishing, acquiring,**
12 **constructing, planning, developing, maintaining or operating public transit systems.**
13 **Seventy-five percent of such moneys shall be used for public transit systems in**
14 **municipalities which have a population of fifty thousand or greater. Twenty-five percent**
15 **of such moneys shall be used for public transit systems in municipalities that have a**
16 **population under fifty thousand;**

17 **(2) Five percent of the moneys in the fund shall be used annually by the**
18 **transportation department for the purpose of paying for multimodal transportation**
19 **projects, other than highway, such as aviation, ports and railroads;**

20 **(3) Thirty percent of the moneys in the fund shall be used annually by the**
21 **transportation department for the purpose of repairing, rehabilitating, constructing or**
22 **expanding the interstate highway system within Missouri. Two percent of these allotted**
23 **funds shall be used for the purpose of paying the costs of issuing state road revenue bonds**
24 **and the costs of feasibility studies for and the design, acquisition, construction and**
25 **reconstruction of a statewide toll road project; and**

26 **(4) Fifty percent of the moneys in the fund shall be used annually by the**
27 **transportation department for the purpose of repairing, rehabilitation, constructing,**
28 **improving or expanding the state highway system. Two percent of these allotted funds**
29 **shall be used for the purpose of paying the costs of issuing state road revenue bonds and**
30 **the costs of feasibility studies for and the design, acquisition, construction and**
31 **reconstruction of a statewide toll road project.**

227.020. There is hereby created and established a statewide connected system of
2 hard-surfaced public roads extending into each county of the state, which shall be located,
3 acquired, constructed, reconstructed, and improved and ever after maintained as public roads,
4 and the necessary grading, hard-surfacing, bridges and culverts therefor shall be constructed by
5 the state of Missouri. Such statewide connected system of hard-surfaced roads shall be known
6 as the "state highway system", and shall consist of highways along the following described
7 routes:

8 **Adair County--Beginning at the Adair-Sullivan County line, west of Novinger, thence**
9 **east and south through Novinger, Kirksville and Brashear to the Adair-Knox County line.**
10 **Beginning at the Adair-Schuyler County line, north of Sublette, thence south to Kirksville,**
11 **thence south and east through Millard to the Adair-Macon County line near LaPlata.**

12 **Andrew County--Beginning at the Nodaway-Andrew County line, thence south through**
13 **Savannah to the Buchanan-Andrew County line, just north of St. Joseph. Beginning at the**
14 **Holt-Andrew County line, at the state ferry crossing, thence east a distance of approximately six**
15 **miles to a point connecting with the north and south state road near Savannah. Beginning at a**

16 point on the north and south state road near Rosendale, thence north and east through Rosendale,
17 Rea and Whitesville to the Gentry County line west of King City. Beginning at a point on the
18 DeKalb-Andrew County line near Union Star, thence south and west through Rochester and
19 Avenue City to the Andrew-Buchanan County line near St. Joseph.

20 Atchison County--Beginning at the Holt-Atchison County line east of Milton, thence
21 north and west to Fairfax, thence north to Tarkio, continuing due north to the Iowa state line.
22 Beginning at Tarkio, thence east to the Nodaway-Atchison County line, west of Burlington
23 Junction. Beginning on the north and south state road south of Tarkio, thence west via Rockport
24 to Phelps City. Beginning at Rockport, thence in a northerly direction to the Iowa state line.

25 Audrain County--Beginning at the Audrain-Randolph County line, near Clark, thence
26 southeast to the Audrain-Boone County line and along said county line to a point north of
27 Centralia. Beginning at the Audrain-Boone County line east of Centralia, thence south and east
28 through Thompson and Mexico to the Audrain-Montgomery County line near the Burlington
29 railroad. Beginning at the Audrain-Monroe County line, thence southeast to Mexico, thence
30 southwest to the Audrain-Callaway County line north of Auxvasse. Beginning at the
31 Audrain-Pike County line, east of Vandalia, thence west to Vandalia, Farber and Laddonia,
32 thence south to Laddonia, to connect with the state road north of Martinsburg.

33 Barry County--Beginning at the Newton-Barry County line, thence in a northeasterly
34 direction to Monett, thence north to the county line and along the county line for a short distance
35 between Lawrence and Barry counties. Beginning at Monett, thence south to Cassville and
36 southwest and southeast through Seligman to the Arkansas-Missouri state line. Beginning at the
37 Newton-Barry County line, thence east and south to Wheaton, thence east and south to Exeter,
38 thence east into Cassville, from Cassville northeast to Barry-Stone County line west of Galena.

39 Barton County--Beginning at the Vernon-Barton County line, thence south through
40 Lamar to the Jasper-Barton County line. Beginning at the Missouri-Kansas state line, thence east
41 through Lamar, continuing east to near the Dade County line, thence south and east through
42 Golden City to the Dade-Barton County line.

43 Bates County--Beginning at the Cass-Bates County line, thence south through Adrian,
44 Butler and Rich Hill to the Vernon-Bates County line. Beginning at the Kansas-Missouri state
45 line, thence east through Amoret and Butler to the St. Clair-Bates County line, near the northwest
46 corner of St. Clair County.

47 Benton County--Beginning at the Pettis-Benton County line near Ionia, south through
48 Lincoln and Warsaw, thence southeast through Dell and Fristoe to the Hickory-Benton County
49 line, just north and west of Cross Timbers. Beginning on the north and south road two miles
50 south of Ionia, thence east through Cole Camp to the Morgan-Benton County line.

51 Bollinger County--Beginning at the Bollinger-Wayne County line at Ivey Ford, thence

52 north and east through Marble Hill to the Bollinger-Cape Girardeau County line, west of
53 Jackson. Beginning at Dongola, thence southeast to Bollinger-Stoddard County line. Beginning
54 at Marble Hill, thence in a northerly direction to Patton, at which point the road forks, one
55 extending to the Bollinger-Perry County line near Alliance, and the other to the
56 Bollinger-Madison County line east of Fredericktown. Beginning at Marble Hill, thence south
57 to a point near Dongola, thence in a southwesterly direction to Stoddard County line near Puxico.

58 Boone County--Beginning on the Missouri river at Rocheport, thence east through
59 Columbia to the Callaway-Boone County line west of Millersburg. Beginning at the
60 Randolph-Boone County line near the southeast corner of Randolph County, thence south
61 through Columbia, thence south and southeast to the Callaway-Boone County line near the
62 Missouri River. Beginning just north of Centralia on the Audrain-Boone County line, thence
63 south and east via Centralia to the Boone-Audrain County line.

64 Buchanan County--Beginning at the Andrew-Buchanan County line, thence south to St.
65 Joseph. Beginning at St. Joseph, thence in a southwesterly direction to the Missouri River, at
66 Atchison, Kansas, also one prong southeast to Platte County line. Beginning at St. Joseph, thence
67 south through Faucett to the Platte-Buchanan County line. Beginning at St. Joseph, thence east
68 to the DeKalb-Buchanan County line. Beginning at St. Joseph, thence in a southeasterly
69 direction to the Clinton-Buchanan County line. Beginning at St. Joseph, thence north and east
70 to the Andrew County line.

71 Butler County--Beginning at the Butler-Wayne County line near Hendrickson, thence
72 south and east to Poplar Bluff, thence south and west to Neelyville, thence to the
73 Missouri-Arkansas line. Beginning at the Butler-Ripley County line near Fairdealing, thence
74 easterly a distance of approximately six and one-half miles to the road above described.
75 Beginning at Poplar Bluff, thence easterly to the Butler-Stoddard County line. Beginning at the
76 Butler-Carter County line near Elsinore, thence south and east through Poplar Bluff to the
77 Butler-Dunklin County line near the southern boundary of the County, near DeKin ferry.

78 Caldwell County--Beginning at the Clinton-Caldwell County line, near the northeast
79 corner of Clinton, thence east, crossing the north part of Caldwell County to the
80 Caldwell-Livingston County line, near the northeast corner of Caldwell County. Beginning at
81 the Daviess-Caldwell County line, thence south through Hamilton and Kingston, to the
82 Caldwell-Ray County line.

83 Callaway County--Beginning at the Callaway-Boone County line near Millersburg,
84 thence south and east through Millersburg to Fulton, thence north and east through Calwood to
85 Williamsburg to the Callaway-Montgomery County line. Beginning at Fulton, thence south and
86 west through New Bloomfield to South Cedar City. Beginning at the Callaway-Audrain County
87 line north of Auxvasse, thence south and west through Auxvasse to Fulton. Beginning at the

88 Boone-Callaway County line near the Missouri River, thence southeast to South Cedar City.

89 Camden County--Beginning at the Dallas-Camden County line, thence north and
90 northeast through Branch, Macks Creek, Linn Creek and Zebra to the Miller-Camden County
91 line. Beginning at the Morgan-Camden County line near Hurricane Deck, thence south through
92 Linn Creek to the Laclede-Camden County line.

93 Cape Girardeau County--Beginning at the Cape Girardeau-Perry County line, thence
94 south and east through Jackson to Cape Girardeau, thence south to the Scott County line.
95 Beginning at Jackson, thence in a southwesterly direction to the Cape Girardeau-Bollinger
96 County line. Beginning at Jackson, thence south by way of Gordonville to Dutchtown and Delta,
97 thence to the Cape Girardeau-Stoddard County line near the western boundary of Cape Girardeau
98 County. Beginning at Cape Girardeau, thence southwest to Dutchtown.

99 Carroll County--Beginning at the Ray-Carroll County line, thence in a northeasterly
100 direction through Carrollton, to the Carroll-Chariton County line. Beginning at the
101 Livingston-Carroll County line, thence south through Tina to Carrollton. Beginning at
102 Carrollton, thence south to Missouri River at Waverly.

103 Carter County--Beginning at the Carter-Shannon County line west of Fremont, thence
104 east and north through Fremont and Van Buren to the Carter-Reynolds County line near
105 Garwood. Beginning at the Carter-Reynolds County line near Garwood, thence in a
106 southeasterly direction through Elsinore to the Carter-Butler County line. Beginning at the
107 Carter-Ripley County line south of Grandin, thence in a northerly direction on through Grandin
108 to Hunter, to the road last described above at Kirtz Corner.

109 Cass County--Beginning at the Jackson-Cass County line north of Belton, thence to
110 Belton and southeast to Harrisonville via Peculiar, thence south to the Bates-Cass County line
111 via Archie. Beginning at the Jackson-Cass County line north of Pleasant Hill, thence south and
112 east through Pleasant Hill to the Johnson-Cass County line. Beginning at Harrisonville, thence
113 north to Pleasant Hill. From Harrisonville north to the Cass-Jackson County line.

114 Cedar County--Beginning at El Dorado Springs, thence north to the St. Clair-Cedar
115 County line. Beginning again at the Vernon-Cedar County line west of El Dorado Springs,
116 thence east to El Dorado Springs, thence in a southeasterly direction through Stockton to the
117 Polk-Cedar County line, west of Fairplay. Beginning at Stockton, thence south and west on the
118 Greenfield road to the Dade County line.

119 Chariton County--Beginning at the Chariton-Carroll County line, west of Brunswick
120 thence easterly through Brunswick, Keytesville and Salisbury, to the Chariton-Randolph County
121 line. Beginning at the Chariton-Linn County line, near Marceline, thence south and east to
122 Keytesville. From Keytesville south to Glasgow.

123 Christian County--Beginning at the Lawrence-Christian County line, near the southwest

124 corner of Christian County, thence in a northeasterly direction through Billings to the
125 Greene-Christian County line. Beginning at the Greene-Christian County line, thence south to
126 Ozark and southwest to the Christian-Stone County line, near the intersection of Stone, Taney
127 and Christian counties. Beginning at Ozark, thence east to the Douglas-Christian County line
128 via Sparta. Beginning at Ozark, thence in a westerly direction, via Clever and Nixa to Billings.

129 **City of St. Louis--Up to forty center-line miles of arterial highways within the**
130 **boundaries of the City of St. Louis, which are functionally classified as of January 1, 1999,**
131 **by the department of transportation, the United States Department of Transportation and**
132 **the Federal Highway Administration as principal arterial highways; provided that the City**
133 **of St. Louis shall retain ownership and responsibility for all street lighting, traffic signals,**
134 **signage, sidewalks, underground rights-of-way and utilities and of all rights-of-way**
135 **adjacent to the traveled portion of said highways.**

136 Clark County--Beginning at the Clark-Scotland County line, thence east and south
137 through Luray, Kahoka and Wayland to Alexandria. Beginning at the Missouri-Iowa state line
138 near Athens, thence south and east to Wayland. Beginning at Wayland, thence south and east
139 to Lewis-Clark County line.

140 Clay County--Beginning at the Clay-Clinton County line, near Trimble, thence south
141 through Smithville, Nashua, and North Kansas City, also a prong near south end in westerly
142 direction connecting with state road in Platte County. Beginning at the Ray-Clay County line,
143 thence in a southwesterly direction through Excelsior Springs, Liberty and North Kansas City.
144 Beginning at Nashua, thence west to the Platte-Clay County line.

145 Clinton County--Beginning at the Clay-Clinton County line south of Trimble, thence
146 north through Trimble and Grayson, one prong going east to Plattsburg and one prong north and
147 west to the Buchanan-Clinton County line. Beginning at Plattsburg, thence in a southeasterly
148 direction to Lathrop. Beginning at Plattsburg, thence northeast to Perrin and north to the east and
149 west state road near the DeKalb-Clinton County line.

150 Cole County--Beginning at the Moniteau-Cole County line, thence east through
151 Centertown and Jefferson City to the Osage County line at Huber's Ferry. Beginning at Jefferson
152 City, thence southwest via Brazito to the Miller-Cole County line near Eugene. Beginning at
153 Cole-Miller County line, thence north via Eugene to connect with state road north of Eugene.

154 Cooper County--Beginning at the Saline-Cooper County line near the Missouri River,
155 south of Arrow Rock, thence south and east through Lamine and Boonville to the Missouri River
156 east of Boonville near Rocheport. Beginning at Boonville, thence southwest and south via
157 Bellair to the Cooper-Moniteau County line near the Moniteau-Morgan County line.

158 Crawford County--Beginning at the Phelps-Crawford County line, northeast of St. James,
159 thence northeast via Cuba, Leasburg and Bourbon to the Franklin-Crawford County line near

160 Sullivan. Beginning at Cuba, thence southeast via Steelville to Cherryville, thence southeast
161 along the Cherryville-Davisville County road to the intersection of the Davisville-Sligo road,
162 thence following the Davisville-Sligo road in a southwest direction to the Dent-Crawford County
163 line. Beginning at Steelville, thence east to the Washington-Crawford County line, connecting
164 with the east and west road in Washington County.

165 Dade County--Beginning at the Barton-Dade County line near Golden City, thence east
166 and north to Greenfield, thence east through Polk township, thence south to Everton, thence
167 south and east to the Greene-Dade County line. Beginning at Greenfield, thence north to the
168 Cedar County line. Beginning at Greenfield, thence south via South Greenfield and Pennsboro
169 to Lawrence-Dade County line.

170 Dallas County--Beginning near the northwest corner of Dallas County on the
171 Hickory-Dallas County line, thence via Urbana and Louisburg in a southeasterly direction to
172 Buffalo, thence south via Olive to Goss school house, thence west and south to Greene-Dallas
173 County line. Beginning at Buffalo, thence in a northeasterly direction to the Dallas-Camden
174 County line. Beginning at Buffalo, thence west to the Dallas-Polk County line.

175 Daviess County--Beginning at the DeKalb-Daviess County line, near the southwest
176 corner of Daviess County, thence in a northeasterly direction through Winston, Altamont,
177 Gallatin and Jamesport, to the Grundy-Daviess County line. Beginning at Gallatin, thence south
178 to the Daviess-Caldwell County line. Beginning at the Daviess-Harrison County line, north to
179 Pattonsburg, thence in a southerly direction through Pattonsburg to Altamont. Beginning at the
180 DeKalb-Daviess County line, near Weatherby, thence south and east to a point on the state road
181 near Winston.

182 DeKalb County--Beginning at the Buchanan-DeKalb County line, thence in an easterly
183 direction to the Clinton-DeKalb County line. Beginning at the Buchanan-DeKalb County line,
184 thence in a northeasterly direction through Clarksdale, Maysville and Weatherby to the
185 Daviess-DeKalb County line. Beginning at the Gentry-DeKalb County line, near King City,
186 thence south to Clarksdale. Beginning at the DeKalb-Gentry County line, near King City, on the
187 north and south state road in DeKalb County, thence south and west through Union Star to the
188 Andrew County line. Beginning at the DeKalb-Daviess County line, near the southwest corner
189 of Daviess County, thence south and west to the DeKalb County line at Cameron.

190 Dent County--Beginning at the Texas-Dent County line, northeast of Licking, thence in
191 a northeasterly direction, through Ranger and Salem to Sligo, thence east to Crawford-Dent
192 County line connecting with the Sligo-Davisville County road west of Cherryville. Beginning
193 at Salem, thence in an easterly direction by way of Stone Hill and Hawes Mill to the Iron-Dent
194 County line southwest of Bixby. Beginning at Salem, thence in a southeasterly direction to the
195 Shannon-Dent County line, connecting with the north and south state road in Shannon County.

196 Douglas County--Beginning at the Wright-Douglas County line, south of Mansfield,
197 thence in a southwesterly direction to Ava, thence in a southeasterly direction to the
198 Douglas-Ozark County line. Beginning at Ava, thence in a northwesterly direction to the
199 Christian-Douglas County line via Tigris. From Ava southeast to Howell-Douglas County line,
200 just west of Siloam Springs.

201 Dunklin County--Beginning at the Dunklin-Stoddard County line at the northeast corner
202 of Dunklin County, thence southwest through Malden, Clarkton, Kennett, Caruth, Senath and
203 Cardwell to the Missouri-Arkansas state line at Hopkins River bridge. Beginning at the
204 Dunklin-Butler County line, thence south and east through Campbell and Holcomb to the road
205 described above. Beginning at the Missouri-Arkansas state line west of Kennett, thence easterly
206 through Kennett to the Dunklin-Pemiscot County line.

207 Franklin County--Beginning at the Gasconade-Franklin County line near Rosebud, thence
208 north and east through Gerald, Leslie, Union and Villa Ridge to the Franklin-St. Louis County
209 line. Beginning at Washington, thence south and east to Villa Ridge. A distance of ten miles,
210 connecting with the above described road. Beginning at Union, thence south and east to St. Clair,
211 thence south and west through Stanton and Sullivan to the Franklin-Crawford County line.
212 Beginning at St. Clair, thence south and east through Lonedell to the Franklin-Jefferson County
213 line near Grubville.

214 Gasconade County--Beginning at the Gasconade-Osage County line near Mt. Sterling,
215 thence easterly through Mt. Sterling to Drake, thence south and east to Rosebud, thence northeast
216 to the Gasconade-Franklin County line. Beginning at Hermann, thence in a southerly direction
217 to Drake. Beginning at Rosebud, thence south and west through Owensville and Bland to the
218 Gasconade-Osage County line near Belle.

219 Gentry County--Beginning at King City, thence north to Stanberry, thence east through
220 Albany to the Harrison-Gentry County line, near New Hampton. Beginning at the Worth-Gentry
221 County line, thence south to the east and west road west of Albany, 11.2 miles. Beginning at the
222 Nodaway-Gentry County line, thence east one-half mile, thence south to the Wabash railroad,
223 thence parallel the Wabash railroad south of east to Stanberry, 4.3 miles. Beginning at the
224 Andrew-Gentry County line, thence east to King City. Beginning at Albany, thence south to
225 Evona.

226 Greene County--Beginning at the Christian-Greene County line near Billings, thence in
227 a northeasterly direction and east direction to Springfield, thence in a northeasterly direction to
228 the Webster-Greene County line. Another prong beginning at the Lawrence-Greene County line,
229 thence in an easterly direction connecting with the above road west of Springfield. Beginning
230 at Springfield, thence southeast through Galloway to the Christian-Greene County line. Another
231 prong beginning on the above road just south of Galloway, thence east to the Webster-Greene

232 County line near Rogersville. Beginning at the Dade-Greene County line, thence in a
233 southeasterly direction connecting with the state road, west of Springfield. Beginning at the
234 Polk-Greene County line, thence south to Springfield. Beginning at the Dallas-Greene County
235 line, thence southwest to Springfield. Beginning at the Lawrence-Greene County line, thence
236 east connecting with the state road west of Republic.

237 Grundy County--Beginning at the Grundy-Daviess County line, thence in a northeasterly
238 direction through Edinburg, Trenton and Galt to the Grundy-Sullivan County line. Beginning
239 at the Mercer-Grundy County line, thence south through Spickard, Tindall and Trenton to the
240 Livingston County line.

241 Harrison County--Beginning at the Iowa-Missouri state line, thence south to Bethany, one
242 prong running west to the Gentry-Harrison County line by way of New Hampton and the other
243 running south to Harrison-Daviess County line. Beginning at Bethany, thence in a northeasterly
244 direction to the Mercer-Harrison County line. Beginning south of Bethany, at the end of the
245 south prong of the above road, and continuing southwestwardly to the Daviess-Harrison County
246 line.

247 Henry County--Beginning at the Johnson-Henry County line near Post Oak, thence south
248 through Shawnee Mound, Clinton and Deepwater to the St. Clair-Henry County line. Beginning
249 at Clinton, thence northeast to Windsor via Lewis and Calhoun. Beginning at Windsor, thence
250 west and north to the Johnson-Henry County line. Beginning at the St. Clair-Henry County line
251 near the northwest corner of St. Clair County, thence north to Montrose and east to Deepwater,
252 on the north and south road in Henry County.

253 Hickory County--Beginning at the Benton-Hickory County line, thence southeast and
254 south through Cross Timbers and Preston to the Dallas-Hickory County line at the northwest
255 corner of Dallas County. Beginning at Preston, thence west through Hermitage, Wheatland and
256 Weaubleau to the St. Clair-Hickory County line east of Collins. Beginning on east and west road
257 between Weaubleau and Wheatland, thence north to Benton-Hickory County line via Quincy.

258 Holt County--Beginning at the Atchison-Holt County line, near Milton, thence south to
259 a point east of Craig, where the road forks, one fork going to Craig and the other continuing in
260 a southeasterly direction to Mound City. (One prong through Mound City southwest of
261 Bigelow.) From Mound City east about five miles to the Gibson Corner, thence south to Oregon.
262 (One prong extending from the north and south road from the Gibson Corner to Oregon, east to
263 New Point.) (One prong from Oregon west to Forest City.) From Oregon east and south to the
264 Andrew-Holt County line at the state ferry. Beginning at the northeast corner of Holt County,
265 on the Nodaway-Holt County line, thence south through Maitland to a point directly east of
266 Mound City, thence west to a point connecting with the Mound City-Oregon state road.

267 Howard County--Beginning on the Missouri River at Glasgow, thence east and southeast

268 through Fayette to the Howard-Boone County line at Rocheport. Beginning at the
269 Randolph-Howard County line at Roanoke, thence south through Armstrong to the above
270 mentioned road northwest of Fayette. Beginning at Fayette, thence south to the Missouri River
271 at Boonville via New Franklin.

272 Howell County--Beginning at the Texas-Howell County line, thence southeast through
273 Willow Springs and West Plains to the Howell-Oregon County line near Koshkonong. Another
274 prong beginning at Willow Springs, thence east through Mountain View to the Shannon-Howell
275 County line. Beginning at the Ozark-Howell County line, thence in an east and northeasterly
276 direction to West Plains. From Mountain View north to Texas-Howell County line.

277 Iron County--Beginning at the Iron-Washington County line near Caledonia, thence south
278 to Belleview, thence south and east to Ironton, thence south and west to Glover, thence in a
279 southerly direction through Sabula, Annapolis and Des Arc, to the Iron-Wayne County line.
280 Beginning at the Iron-Reynolds County line near Lesterville, thence north and east to Glover.
281 Beginning at Ironton, thence south and east to the Iron-Madison County line. Beginning at the
282 Iron-Dent County line near Bixby, thence north and east through Bixby and Brule, a distance
283 approximately twenty-five miles to a point on the road first described above, approximately one
284 and one-half miles north of Belleview.

285 Jackson County--Beginning at the Cass-Jackson County line north of Belton, thence north
286 to Kansas City. Beginning at Kansas City, thence in a southeasterly direction to Lee's Summit,
287 Lonejack, to the Johnson-Jackson County line east of Lonejack. One prong leaving the above
288 state road near Lee's Summit, thence in a southerly direction towards Harrisonville to the
289 Cass-Jackson County line. Another prong from the same road in a southeasterly direction
290 towards Pleasant Hill to the Jackson-Cass County line. Beginning at the east city limits of
291 Kansas City, Missouri, near Leeds, Missouri, and thence via the road known as the Sni-A-Bar
292 road to Grain Valley, Missouri, and thence in a southeasterly direction via Oak Grove to the
293 Lafayette-Jackson County line. Beginning at Kansas City, thence east by way of Independence
294 and Levasy to the Lafayette-Jackson County line.

295 Jasper County--Beginning at the Newton-Jasper County line near Joplin, thence north
296 through Joplin and northeast and east through Webb City to Carthage, thence north to the
297 Barton-Jasper County line. Beginning at Carthage, thence in a northeasterly direction to the
298 Lawrence-Jasper County line. Beginning at the Lawrence-Jasper County line near the southeast
299 corner of Jasper County, thence west parallel with the Jasper-Newton County line approximately
300 sixteen miles thence north to Carthage. Beginning at Joplin, thence in a northwesterly direction
301 through Carl Junction to the Missouri-Kansas state line.

302 Jefferson County--Beginning at the Jefferson-St. Louis County line, thence south through
303 Maxville, Kimmswick, Barnhart, Pevely and Herculanum to Festus, thence south and east to

304 the Jefferson-Ste. Genevieve County line. Beginning at Festus, thence south and west through
305 Hematite, Victoria and DeSoto to the Jefferson-Washington County line. Beginning at DeSoto,
306 thence in a southerly direction to the Jefferson-St. Francois County line. Beginning at the
307 Jefferson-Franklin County line near Grubville, thence in a northeasterly direction through
308 Oermann, Dittmer, Cedar Hill, House Springs and High Ridge to the St. Louis County line,
309 connecting with the Gravois road in St. Louis County.

310 Johnson County--Beginning at the Cass-Johnson County line, thence east through
311 Kingsville, Holden, Centerview, Warrensburg, and Knob Noster to the Pettis-Johnson County
312 line. Beginning at Warrensburg, thence south to a point one-half mile north of Leeton where the
313 road forks, one fork going south and west via Post Oak to the Johnson-Henry County line on the
314 Clinton road, and the other south and east via Leeton to the Johnson-Henry County line on the
315 Windsor road. Beginning at the Johnson-Jackson County line near the southeast corner of
316 Jackson County east of Lonejack, thence south and east to a point west of Warrensburg,
317 intersecting with the road first described above.

318 Knox County--Beginning at the Knox-Adair County line, near Hurdland, thence easterly
319 through Hurdland, Edina and Knox City, to the Knox-Lewis County line. Beginning at the
320 Scotland-Knox County line, thence south through Barring, Edina and Plevna, to the Knox-Shelby
321 County line.

322 Laclede County--Beginning at the Laclede-Webster County line, thence northeast through
323 Lebanon to the Pulaski-Laclede County line. Beginning at Lebanon, thence north via Dove to
324 the Camden-Laclede County line near Decaturville. From Lebanon southeast to Wright-Laclede
325 County line.

326 Lafayette County--Beginning at the Lafayette-Jackson County line just east of Levasy,
327 thence east by Wellington, Lexington, Dover, Waverly to the Saline-Lafayette County line.
328 Beginning at the Jackson-Lafayette County line, thence in an easterly direction through Odessa
329 and Higginsville to the Saline-Lafayette County line. Beginning at Lexington, thence in a
330 southeasterly direction to Higginsville.

331 Lawrence County--Beginning at the Barry-Lawrence County line, thence in a
332 northeasterly direction through Verona, Aurora, Marionville, and McKinley to the
333 Christian-Lawrence County line. Beginning at the Lawrence-Jasper County line near the
334 southeast corner of Jasper County, thence east to Mount Vernon to the Greene-Lawrence County
335 line near the southwest corner of Greene County. Beginning at the Lawrence-Jasper County line
336 northeast of Carthage, thence east to the Greene-Lawrence County line.

337 Lewis County--Beginning at the Lewis-Knox County line near LaBelle, thence easterly
338 through LaBelle, Lewistown and Monticello to Canton. Beginning again at the Lewis-Clark
339 County line near Gregory Landing, thence south through Canton and LaGrange to the

340 Lewis-Marion County line near Taylor.

341 Lincoln County--Beginning at the Lincoln-Pike County line near Eolia, thence in a
342 southerly direction to Troy, thence south and east through Moscow Mills to the Lincoln-St.
343 Charles County line. Beginning at the Lincoln-Warren County line south of Hawk Point, thence
344 north to Hawk Point, thence north and east through Troy to Winfield, thence south to the
345 Lincoln-St. Charles County line.

346 Linn County--Beginning at the Linn-Livingston County line, west of Meadville, thence
347 east through Meadville, Laclede, Brookfield and Bucklin, to the Linn-Macon County line.
348 Beginning at the Linn-Sullivan County line, thence southwest to Linneus, thence south and east
349 through Brookfield and Marceline to the Linn-Chariton County line.

350 Livingston County--Beginning at the Livingston-Caldwell County line, thence north and
351 east through Mooresville, Utica, Chillicothe and Wheeling to the Livingston-Linn County line,
352 west of Meadville. Beginning at the Livingston-Grundy County line, thence in a southeasterly
353 direction through Farmersville, Chillicothe and Avalon to the Livingston-Carroll County line.

354 McDonald County--Beginning at the Newton-McDonald County line, thence south
355 through Anderson and Noel to the Arkansas-Missouri state line. Beginning at Noel, thence
356 southwest to the Arkansas-Missouri state line, near the southwest corner of McDonald County.
357 Another prong beginning on the state road south of Anderson at Lanagan, thence east to Pineville
358 and southeasterly to the Arkansas-Missouri state line. From Anderson northeast to Rocky
359 Comfort.

360 Macon County--Beginning at the Macon-Linn County line east of Bucklin, thence
361 easterly through New Cambria, Callao, Bevier and Macon to the Macon-Shelby County line, near
362 Anabel. Beginning at the Macon-Adair County line north of LaPlata, thence south through
363 LaPlata, Atlanta, Macon and Excello to the Macon-Randolph County line.

364 Madison County--Beginning at the Madison-St. Francois County line near Mine LaMotte,
365 thence south and east to Fredericktown, thence to the Madison-Wayne County line near
366 Coldwater. Beginning at the Madison-Iron County line east of Arcadia, thence in an easterly
367 direction through Fredericktown to the Madison-Bollinger County line near Patton.

368 Maries County--Beginning at the Maries-Osage County line near Freeburg, thence south
369 and east through Vienna to the Maries-Pulaski County line near Dixon. Beginning at the
370 Maries-Osage-Gasconade County line east of Belle, thence south and west through Belle and
371 Hawkins Store to Vienna. Beginning again at Hawkins Store, thence south and east to the
372 Maries-Phelps County line near St. James.

373 Marion County--Beginning at the Marion-Shelby County line near Hunnewell, thence
374 east and north through Ely to Hannibal. Beginning at the Marion-Lewis County line north of
375 Taylor, thence south through Taylor to Palmyra, thence south and east to Hannibal, thence south

376 and west to the Marion-Ralls County line, near Oakwood. Beginning at Palmyra, thence
377 westwardly to Philadelphia to the Marion-Shelby County line.

378 Mercer County--Beginning at the Mercer-Harrison County line, thence north and east
379 through Princeton and Ravanna, to the Mercer-Putnam County line. Beginning at the
380 Missouri-Iowa state line in Mercer County, at Lineville, thence south and west through the towns
381 of Mercer and Princeton to the Mercer-Grundy County line.

382 Miller County--Beginning at the Cole-Miller County line east of Eldon, thence west to
383 Eldon and southwest to Camden-Miller County line by the way of Bagnell. Beginning at the
384 Morgan-Miller County line northwest of Eldon, thence in a southeasterly direction via Eldon,
385 Tuscumbia, Iberia via Petrican ford of Big Tavern Creek to the Pulaski-Miller County line north
386 of Crocker. Beginning at Tuscumbia, thence northwest to Cole-Miller County line near Eugene.

387 Mississippi County--Beginning at the Mississippi-Scott County line near Buckeye, thence
388 north and east through Charleston to Birds Point. Beginning at the Mississippi-Scott County line
389 near Diehlstadt, thence southeasterly approximately four miles to the road described above.
390 Beginning at Charleston, thence southerly to a point near Anniston where the road forks, one
391 portion extending to Wolf Island and the other to the southwest to the Mississippi-New Madrid
392 County line near East Prairie.

393 Monroe County--Beginning at the Monroe-Randolph County line, thence northeasterly
394 through Madison to Paris, thence southeasterly to the Monroe-Ralls County line, west of Perry.
395 Beginning at the Monroe-Marion County line at Monroe City, thence south and west through
396 Monroe City and Stoutsville to Paris. Beginning at Paris, thence south and east to the
397 Monroe-Audrain County line. Beginning at the Monroe-Shelby County line, south of Shelbina,
398 thence south and east to Paris.

399 Moniteau County--Beginning at Cooper-Moniteau County line near the
400 Moniteau-Morgan County line, thence east through Tipton and California to the Cole-Moniteau
401 County line. Beginning at Tipton, thence south to the Morgan-Moniteau County line through
402 Fortuna. Beginning at California, thence north to the Cooper-Moniteau County line on the
403 Prairie Home road.

404 Montgomery County--Beginning at the Montgomery-Callaway County line west of
405 Mineola, thence easterly to Mineola, thence northeasterly to Danville, thence south and east
406 through High Hill and Jonesburg to the Montgomery-Warren County line. Beginning at the
407 Montgomery-Audrain County line, thence south and east through Wellsville, Montgomery, New
408 Florence, Big Spring and McKittrick to the Missouri River.

409 Morgan County--Beginning at the Moniteau-Morgan County line near Fortuna, thence
410 south through Versailles and Gravois Mill to the Camden-Morgan County line. Beginning at the
411 Benton-Morgan County line, thence east to Versailles and southeast through Barnett to the

412 Morgan-Miller County line near Eldon.

413 New Madrid County--Beginning at the New Madrid-Scott County line south of Sikeston,
414 thence in a southerly direction to New Madrid, thence southwest through Portageville to the New
415 Madrid-Pemiscot County line. Beginning at the New Madrid-Dunklin County line at Malden,
416 thence in an easterly direction through Risco to a point in the above described road north of
417 Marston. Beginning at the New Madrid-Stoddard County line near Morehouse, thence in a
418 northeasterly direction through Morehouse to the New Madrid-Scott County line.

419 Newton County--Beginning at the Jasper-Newton County line near Joplin, thence
420 southeast to Neosho, thence southwest to the Newton-McDonald County line. Beginning at the
421 Oklahoma-Missouri state line at Seneca, thence east through Neosho, via Granby, to the
422 Barry-Newton County line near the northwest corner of Barry County.

423 Nodaway County--Beginning at the Missouri-Iowa state line near Hopkins, thence south
424 through Pickering, Maryville and Barnard, to the Nodaway-Andrew County line. Beginning at
425 the Nodaway-Atchison County line, thence east and south through Burlington Junction to
426 Maryville, connecting with the north and south state road. Beginning again on the north and
427 south road, south of Maryville, thence easterly through Ravenwood to the Nodaway-Gentry
428 County line.

429 Oregon County--Beginning at the Oregon-Howell County line north of Koshkonong,
430 thence south and east through Koshkonong and Thayer to the Missouri-Arkansas state line.
431 Beginning at the Oregon-Shannon County line south of Birch Tree, thence south and east through
432 Alton to the Oregon-Ripley County line. From Alton southwest to Thayer.

433 Osage County--Beginning at Huber's Ferry at the Osage-Cole County line, thence in an
434 easterly direction to Loose Creek and Linn to the Osage-Gasconade County line near Mt.
435 Sterling. Beginning at Chamois, thence south and west to an intersection with the above road,
436 approximately nine miles east of Linn. Beginning at the Huber's Ferry and thence south and east
437 through Westphalia and Freeburg to the Osage-Maries County line.

438 Ozark County--Beginning at the Douglas-Ozark County line, thence southeast to
439 Gainesville, thence easterly to the Howell-Ozark County line. Beginning at Gainesville,
440 southwesterly to the Arkansas-Missouri state line. Beginning at or near the Douglas-Ozark
441 County line on the state road from Ava to Gainesville, thence southwest via or in the vicinity of
442 Foil to Thornfield, thence southwest to Longrun.

443 Pemiscot County--Beginning at the Pemiscot-New Madrid County line near Portageville,
444 thence south and west through Hayti, Canady, Steele and Holland to the Missouri-Arkansas state
445 line. Beginning at the Pemiscot-Dunklin County line east of Kennett, thence east to Hayti and
446 thence southeast to Caruthersville.

447 Pettis County--Beginning at the Johnson-Pettis County line, thence east through Sedalia

448 and Smithton to the Morgan-Pettis County line. Beginning at the Saline-Pettis County line,
449 thence south through Sedalia to the Pettis-Benton County line near Ionia. Beginning at the
450 Pettis-Henry County line at Windsor, thence due east approximately nine and one-half miles to
451 an intersection with the north and south road described above.

452 Perry County--Beginning at the Perry-Ste. Genevieve County line south of St. Marys,
453 thence south and east through Perryville and Longtown to the Perry-Cape Girardeau County line
454 near Appleton. Beginning on the Mississippi River near Claryville, thence south and west
455 through Perryville via Silver Lake to the Perry-Bollinger County line near Alliance.

456 Phelps County--Beginning at the Phelps-Pulaski County line, thence north and east
457 through Newburg, Rolla and St. James to the Phelps-Crawford County line. Beginning at the
458 Phelps-Texas County line, thence north and east through Edgar Springs to Rolla. Beginning at
459 the Phelps-Maries County line, thence south and east to St. James.

460 Pike County--Beginning at the Pike-Ralls County line near Frankford, thence south and
461 east through Frankford, McCune and Bowling Green, to Eolia, thence south to the Pike-Lincoln
462 County line. From Louisiana to Bowling Green, thence west to Pike-Audrain County line east
463 of Vandalia.

464 Platte County--Beginning at the Platte-Buchanan County line, thence south through
465 Dearborn, Platte City, thence southeastwardly through Parkville, to the Platte-Clay County line,
466 at the southeast corner of Platte County. Beginning at the Missouri River opposite Leavenworth,
467 Kansas, thence east to Platte City, thence eastwardly to the Platte-Clay County line. Beginning
468 at the Platte-Clay County line west of Nashua, thence westwardly to a point connecting with the
469 road first described above.

470 Polk County--Beginning at the Cedar-Polk County line west of Fairplay, thence east
471 through Fairplay to Bolivar, thence south to the Greene-Polk County line. Beginning at the St.
472 Clair-Polk County line, thence south to Fairplay, via Humansville and Dunnegan. Beginning at
473 Bolivar, thence east to the Dallas-Polk County line.

474 Pulaski County--Beginning at the Pulaski-Laclede County line, thence north and east
475 through Laquey and Waynesville to the Pulaski-Phelps County line. Beginning at the
476 Pulaski-Maries County line near Dixon, thence in a southerly direction through Dixon to
477 Anderson's School, connecting with the above described road, approximately seven miles east
478 of Waynesville. Beginning at the Pulaski-Miller County line, thence south and west via Crocker
479 to Waynesville. Beginning at Waynesville, thence south via Bloodland to the Pulaski-Texas
480 County line.

481 Putnam County--Beginning at the Putnam-Mercer County line, near Ravanna, thence
482 easterly through Unionville and Livonia to the Putnam-Schuyler County line. Beginning at the
483 Missouri-Iowa state line north of Unionville, thence south to Unionville, thence south and west

484 to the Putnam-Sullivan County line.

485 Ralls County--Beginning at the Ralls-Marion County line near Oakwood, thence south
486 and west to New London, thence south and east to the Ralls-Pike County line, near Frankford.
487 Beginning at the Ralls-Monroe County line, thence east to Perry, thence north and east through
488 Center to New London. Beginning at Perry, thence in a southerly direction to the Audrain
489 County line.

490 Randolph County--Beginning at the Randolph-Chariton County line, thence east and
491 south through Huntsville, Moberly and Clark to the Randolph-Audrain County line. Beginning
492 at the Randolph-Macon County line south of Excello, thence south through Cairo and
493 Jacksonville to Moberly, thence north and east to the Randolph-Monroe County line. Beginning
494 at the Randolph-Boone County line near Clark, thence north a distance of approximately three
495 miles and connecting with the road as described above. Beginning at the Randolph-Howard
496 County line, thence north and east to Huntsville.

497 Ray County--Beginning at the road at the Clay County line, near Excelsior Springs,
498 thence south and east through Richmond and Hardin, to the Ray-Carroll County line. Beginning
499 at the Ray-Caldwell County line south of Kingston, thence south and east to Richmond. From
500 Richmond southeast to Lexington.

501 Reynolds County--Beginning at the Reynolds-Iron County line near Glover, thence
502 westerly to Centerville, then south through Ellington to the Reynolds-Carter County line,
503 approximately four miles west of Garwood. Beginning at Garwood, thence easterly to the
504 Reynolds-Wayne County line. From Centerville northwest to Stone Hill.

505 Ripley County--Beginning at the Ripley-Oregon County line, thence easterly through
506 Doniphan to the Ripley-Butler County line near Fairdealing. Beginning at a point on the road
507 described above, approximately two miles east of Doniphan, thence northwardly to the
508 Ripley-Carter County line near Grandin. From Doniphan in a southwesterly direction to
509 Arkansas state line, connecting with Arkansas state road.

510 St. Charles County--Beginning at the Warren-St. Charles County line east of Warrenton,
511 thence in an easterly direction to St. Charles, thence in a northerly and easterly direction to the
512 Mississippi River north of West Alton. Beginning on the above described road near Wentzville,
513 thence in a northerly direction via Wentzville to the Lincoln-St. Charles County line south of
514 Moscow Mills. Beginning at the Lincoln-St. Charles County line south of Winfield, thence in
515 a southeasterly direction to St. Peters.

516 St. Clair County--Beginning at the Henry-St. Clair County line, thence southeast through
517 Lowry City and Osceola and Collins to the Polk-St. Clair County line. Also a prong from
518 Collins east to the Hickory-St. Clair County line. Beginning at the Cedar-St. Clair County line
519 near El Dorado Springs, thence northeast and east via Tiffin to Osceola. Beginning at the

520 Bates-St. Clair County line west of Appleton City, thence east and north to the Henry-St. Clair
521 County line, south of Montrose.

522 St. Francois County--Beginning at the St. Francois-Jefferson County line near the M.R.
523 & B.T. tunnel, thence south to Bonne Terre, thence in a southeasterly direction through Desloge,
524 St. Francois, Flat River, Farmington and Libertyville to the St. Francois-Madison County line.
525 Beginning at the St. Francois-Washington County line, approximately one mile west of Bismarck
526 near the southern boundary of Washington County, thence north and east through Bismarck and
527 Elvins to Flat River. Beginning at Farmington, thence in an easterly direction to the St.
528 Francois-Ste. Genevieve County line.

529 Ste. Genevieve County--Beginning at the Ste. Genevieve-Jefferson County line near
530 Danby, thence south and east through Bloomsdale to Ste. Genevieve, thence in a southerly
531 direction through St. Marys to the Ste. Genevieve-Perry County line. Beginning at the Ste.
532 Genevieve-St. Francois County line east of Farmington, thence east and north through
533 Weingarten to Ste. Genevieve.

534 St. Louis County--Beginning at the city limits of St. Louis at Wellston, thence in a
535 northwesterly direction over what is known as the St. Charles Rock Road to the Missouri River
536 bridge at the city of St. Charles. Beginning at the city limits of St. Louis, thence in a westerly
537 direction through Manchester and Ballwin, over what is known as the Manchester Road to the
538 Franklin County line. Beginning at the city limits of St. Louis, thence in a southwesterly
539 direction over what is known as the Gravois Road to the St. Louis-Jefferson County line.
540 Beginning at the city limits of St. Louis, thence in southwesterly direction over what is known
541 as the Lemay Ferry Road to the St. Louis-Jefferson County line.

542 Saline County--Beginning at the Pettis-Saline County line, thence north through
543 Marshall, continuing north to the Missouri River and the Carroll-Saline County line. Beginning
544 at the Saline-Lafayette County line near Waverly, thence in an easterly and southerly direction
545 through Malta Bend, Marshall to Arrow Rock on the Missouri River. Beginning at the
546 Lafayette-Saline County line east of Higginsville, thence in an easterly direction to Marshall,
547 thence in a northeasterly direction via Slater and Gilliam to the Missouri River near Glasgow.

548 Schuyler County--Beginning at the Schuyler-Putnam County line, thence north and east
549 through Glenwood to Lancaster, thence south and east through Downing to the
550 Schuyler-Scotland County line. Beginning at the Missouri-Iowa state line north of Lancaster to
551 Lancaster, thence southwest through Queen City and Green Top to the Schuyler-Adair County
552 line.

553 Scotland County--Beginning at the Schuyler-Scotland County line, thence south and east
554 to Memphis, thence easterly through Arbela and Granger to the Scotland-Clark County line.
555 Beginning at the Missouri-Iowa state line, thence south through Memphis to the Scotland-Knox

556 County line.

557 Scott County--Beginning at the Scott-Cape Girardeau County line south of Cape
558 Girardeau, thence south and west through Kelso, Benton, Morley and Sikeston to the Scott-New
559 Madrid County line. Beginning at Benton, thence south and east to the Scott-Mississippi County
560 line, near Diehlstadt. Beginning at the Scott-New Madrid County line, thence northeasterly
561 through Sikeston to the Scott-Mississippi County line.

562 Shannon County--Beginning at the Shannon-Howell County line near Mountain View,
563 thence eastwardly through Birch Tree to the Shannon-Carter County line. Beginning at
564 Eminence, thence south through Winona to the road described above. Beginning at Birch Tree,
565 thence southwardly to the Shannon-Oregon County line. From Eminence north to Shannon-Dent
566 County line, crossing at a point between Rector and Sinking post offices.

567 Shelby County--Beginning at the Shelby-Macon County line, thence south and east
568 through Clarence, Lentner and Shelbina and Lakenan to the Shelby-Marion County line near
569 Hunnewell. Beginning at the Shelby-Knox County line, thence south and east through Bethel to
570 Shelbyville, thence south to Shelbina. Beginning at Shelbina, thence south and east to the
571 Monroe County line.

572 Stoddard County--Beginning at the Stoddard-Butler County line near Fisk, thence
573 easterly through Dudley and Dexter to the Stoddard-New Madrid County line near Morehouse.
574 Beginning at the Stoddard-Cape Girardeau County line near the western boundary to Cape
575 Girardeau County, thence in a southerly direction through Advance, Bloomfield, Dexter and
576 Bernie to the Stoddard-Dunklin County line. Beginning at the Bollinger-Stoddard County line
577 near Puxico, thence southwardly to a point below Puxico. Beginning at the Bollinger-Stoddard
578 County line, thence southeast to Advance.

579 Stone County--Beginning at the Lawrence-Stone County line at the northwest corner of
580 Stone County, thence southeast through Crane, Galena to Reed Springs, thence south to the
581 Arkansas-Missouri state line at Blue Eye. Beginning on the above road just north of the
582 Arkansas state line, thence in a northeasterly direction towards Hollister to the Taney-Stone
583 County line. Beginning at the Stone-Christian County line, thence in a southeasterly direction
584 to the Stone-Taney County line. From Galena east via Abesville to north and south state road
585 from Ozark to Branson. From Galena west to Stone-Barry County line.

586 Sullivan County--Beginning at the Sullivan-Grundy County line near Galt, thence north
587 and east through Humphrey, Reger and Milan, Green City and Greencastle to the Sullivan-Adair
588 County line. Beginning at the Sullivan-Putnam County line, thence south and west through
589 Milan to the Sullivan-Linn County line at Browning.

590 Taney County--Beginning at the Stone-Taney County line near the northwest corner of
591 Taney County, thence southeast to Branson, thence south through Hollister to the

592 Arkansas-Missouri state line. Beginning at the Stone-Taney County line, thence northeast to a
593 point two and one-half miles south of Hollister. Beginning again at Branson, thence in an east
594 and northerly direction to Forsyth, thence in a northwest and west direction to the Stone-Taney
595 County line. From Forsyth northeast via Dickens, Taneyville, Bradleyville and Brown Branch
596 to Taney-Douglas County line.

597 Texas County--Beginning at the Wright-Texas County line near Mountain Grove, thence
598 east to Cabool, thence in a northeasterly direction to Houston, thence in an easterly and northerly
599 direction through Licking to the Phelps-Texas County line north of Licking. Beginning at
600 Licking, thence in a northeasterly direction to the Dent-Texas County line southwest of Ranger.
601 Beginning on the state road east of Houston, thence in a southeasterly direction and southerly
602 direction via Summerville to the Howell-Texas County line, near the southeast corner of Texas
603 County. Beginning at Houston, thence in a northwesterly direction via Plato to the Pulaski-Texas
604 County line. Beginning at Cabool, thence in a southeasterly direction to the Howell-Texas
605 County line northwest of Willow Springs.

606 Vernon County--Beginning at the Bates-Vernon County line south of Rich Hill, thence
607 south through Arthur and Horton to Nevada and southeast through Milo and Sheldon to the
608 Barton-Vernon County line. Beginning at the Missouri-Kansas state line, thence east through
609 Deerfield and Nevada to the Cedar-Vernon County line west of El Dorado Springs.

610 Warren County--Beginning at the Warren-Montgomery County line near Jonesburg,
611 thence south and east through Warrenton to the Warren-St. Charles County line. Beginning at
612 the Warren-Lincoln County line, south of Hawk Point, thence south to Warrenton. Beginning
613 at Warrenton, thence south and east through Marthasville and Dutzow to the Missouri River.

614 Washington County--Beginning at the Washington-Jefferson County line, thence
615 southwest to Potosi, thence south and east through Caledonia to the Washington-Iron County
616 line. Beginning at the Washington-Crawford County line, thence in an easterly direction to
617 Potosi. Beginning at Caledonia, thence in a southeasterly direction to the Washington-St.
618 Francois County line, approximately one mile west of Bismarck.

619 Wayne County--Beginning at the Wayne-Reynolds County line near the southern
620 boundary of Reynolds County, thence east to Leeper, thence in a northerly direction to Piedmont,
621 thence north and east through Sylvia to the Wayne-Bollinger County line. Beginning at the
622 Wayne-Iron County line near Des Arc, thence south to Piedmont. Beginning at the
623 Wayne-Madison County line near Coldwater, thence south through Coldwater, Sylvia and
624 Greenville to the Wayne-Butler County line.

625 Webster County--Beginning at the Greene-Webster County line, thence northeast to
626 Northview, thence to Marshfield, thence northeast and north via Niangua to the Laclede-Webster
627 County line. Beginning at the Greene-Webster County line near Rogersville, thence east through

628 Rogersville, Fordland, Diggins and Seymour to the Wright-Webster County line.

629 Worth County--Beginning at the Worth-Nodaway County line, east through Grant City
630 and Allendale to the Worth-Harrison County line. Beginning at the Missouri-Iowa state line,
631 connecting with the Iowa state primary road, thence south, approximately one-half mile east of
632 Irena, thence south through Grant City and Worth, to the Worth-Gentry County line.

633 Wright County--Beginning at the Webster-Wright County line, thence east through
634 Mansfield and Mountain Grove to the Texas-Wright County line. Beginning at Hartville, thence
635 southwest through Mansfield to the Wright-Douglas County line. From Hartville northeast, via
636 Grove Spring to Laclede-Wright County line.

637 Southern highway connection--Beginning at the Pettis-Morgan County line east of
638 Smithton, thence in an easterly direction connecting with the east and west road in Moniteau
639 County north of Tipton; provided, that the highways and transportation commission is authorized
640 and empowered to designate the routes and types of the higher type roads of approximately one
641 thousand five hundred miles connecting the principal population centers of the state, and to make
642 such changes in the routes of said roads as it may deem necessary in the interest of economy and
643 directness of routes, and is authorized to commence the construction of said higher type roads
644 at such place or places on such routes as it may deem advisable; provided further, that no
645 changes in designation shall increase the total mileage of the state highway system.

227.107. 1. As used in this section, the following terms shall mean:

2 **(1) "Design-build highway project contract", the procurement of all materials and**
3 **services necessary for the design, construction, reconstruction, improvement or**
4 **maintenance of a highway project in a single contract with a person or persons capable of**
5 **providing the necessary materials and services;**

6 **(2) "Design-build prequalification review team" or "review team", a team**
7 **authorized by the commission to make recommendations to the commission on persons**
8 **who are qualified to bid on a design-build project. The review team shall be comprised of**
9 **four representatives from the department of transportation, one representative from the**
10 **Associated General Contractors of Missouri and one representative from the Consulting**
11 **Engineers Council of Missouri;**

12 **(3) "Highway project", the construction, establishment or maintenance of highways**
13 **or bridges;**

14 **(4) "Person", individuals, corporations, partnerships, joint ventures, limited**
15 **liability companies, or other business organizations.**

16 **2. As an alternative to the requirements and procedures specified in sections**
17 **227.040 to 227.100, the state highways and transportation commission may enter into**
18 **design-build highway project contracts. The first design-build highway project shall be**

19 a pilot project located on the interstate highway system. Subsequent design-build highway
20 projects will be selected from interstate highway and bridge projects in the five-year plan
21 or any highway or bridge project that is deemed by the commission to be an emergency
22 project.

23 3. In using a design-build highway project contract, the commission shall
24 prequalify persons based on recommendations submitted by the design-build
25 prequalification review team before the persons will be allowed to bid on a project. Such
26 prequalification shall be conducted as follows:

27 (1) The commission shall give public notice of a request for qualifications in at least
28 two public newspapers that are distributed wholly or in part in this state and in at least one
29 construction industry trade publication that is distributed nationally;

30 (2) The commission shall issue a request for qualifications to all persons requesting
31 one in accordance with the instructions in the public notice. In the request for
32 qualifications, the commission may require that all persons submit information in a
33 prescribed format demonstrating their relevant design and construction qualifications and
34 experience, financial capacity, and capability of obtaining performance and payment
35 bonds and insurance coverage specified by the commission, ability to comply with all
36 applicable federal, state and local laws and regulations and such other qualifications that
37 the commission considers to be in the best interest of the state;

38 (3) The commission may investigate and verify all information submitted. All
39 financial information, trade secrets or other information customarily regarded as
40 confidential business information submitted to or obtained by the commission during the
41 contracting process set forth in this section shall be protected from disclosure pursuant to
42 the provisions of section 227.105 and section 610.021, RSMo;

43 (4) The review team shall evaluate and rate all persons submitting responsive
44 statements of qualifications. Based upon such ratings, the review team shall make a
45 recommendation to the commission as to which persons should be selected to receive
46 requests for proposals;

47 (5) The review team may recommend any number of persons to receive requests
48 for proposals, provided that if the review team fails to receive at least three responsive
49 submissions from persons considered qualified by the review team, the review team shall
50 notify the commission. The commission may then readvertise the project.

51 4. The commission shall issue a request for proposals to all persons prequalified in
52 accordance with subsection 3 of this section. The request for proposals shall set forth:

53 (1) The scope of work, contract specifications, work requirements and other
54 requirements that have a substantial impact on the cost of the work as determined by the

55 commission; and

56 (2) Criteria to be used by the commission to determine whether proposals are
57 responsive and a description of the criteria and procedures to be used to evaluate
58 proposals.

59 5. Proposals must consist of two separate components to be submitted to the
60 commission simultaneously but separately:

61 (1) A sealed design-build proposal; and

62 (2) A sealed lump sum price proposal.

63

64 The commission shall evaluate and score responsive design-build proposals based upon
65 criteria that may include proposed design, constructability, long-term maintenance costs,
66 aesthetics, local impact, travel and other user costs and other factors that the commission
67 considers to be in the best interest of the state. The commission shall then publicly open
68 and read responsive lump sum price proposals and divide each price by the score of that
69 person's design-build proposal, yielding an overall value rating for each person. The
70 commission may award the contract to the person with the lowest responsive overall value
71 rating and the commission's award decision is final and is not subject to review or appeal.
72 The commission may also reject any or all proposals for design-build highway project
73 contracts for any reason.

74 6. The commission may require approval of any person performing subcontract
75 work on a design-build highway project contract.

76 7. The bid bond and performance bond requirements of section 227.100 and the
77 payment bond requirements of section 107.170, RSMo, shall apply to a design-build
78 highway project contract.

79 8. A design-build project contract may be for construction or work of greater than
80 ten miles of road.

81 9. The commission shall prescribe the form of the contracts for the work.

82 10. The commission is empowered to make all final decisions concerning the
83 performance of the work under its contracts, including claims for additional time and
84 compensation.

85 11. The provisions of sections 8.285 to 8.291, RSMo, shall not apply to the
86 procurement of architectural, engineering, or land surveying services for a design-build
87 highway project contract; except that any person providing architectural, engineering or
88 land surveying services for a design-build highway project contract must be licensed in
89 Missouri to provide such services.

90 12. The commission is authorized to pay a fee to all responsive bidders who are not

91 **awarded a design-build highway project. The fee and criteria for responsiveness shall be**
 92 **set forth in the request for qualification and request for proposals issued by the**
 93 **commission. In the event the commission rejects all bid proposals for a design-build**
 94 **highway project, the commission may subsequently submit a new request for proposal on**
 95 **the previously rejected design-build highway project. Any person who receives a fee**
 96 **pursuant to this section for a responsive bid on the rejected design-build highway project**
 97 **is prohibited from receiving a fee for a responsive bid on the subsequent design-build**
 98 **highway project.**

302.302. 1. The director of revenue shall put into effect a point system for the
 2 suspension and revocation of licenses. Points shall be assessed only after a conviction or
 3 forfeiture of collateral. The initial point value is as follows:

4 (1) Any moving violation of a state law or county or municipal or federal traffic
 5 ordinance or regulation not listed in this section, other than a violation of vehicle equipment
 6 provisions or a court-ordered supervision as provided in section

7 302.303 2 points

8 (except any violation of municipal stop sign ordinance
 9 where no accident is involved 1 point)

10 (2) Speeding

11 In violation of a state law 3 points

12 In violation of a county or municipal ordinance 2 points

13 (3) Leaving the scene of an accident in violation of
 14 section 577.060, RSMo 12 points

15 In violation of any county or municipal ordinance 6 points

16 (4) Careless and imprudent driving:

17 (a) **When an accident results in which any person suffers serious**
 18 **physical injury as defined in section 556.061, RSMo, or dies 8 points**

19 (b) **When an accident results in which any person suffers moderate**
 20 **physical injury as defined in section 556.061, RSMo, but not serious**
 21 **physical injury, as defined in section 556.061, RSMo 6 points**

22 (c) In violation of subsection 4 of section 304.016, RSMo 4 points

23 (d) In violation of a county or municipal ordinance 2 points

24 (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection
 25 1 of section 302.020:

26 (a) For the first conviction 2 points

27 (b) For the second conviction 4 points

28 (c) For the third conviction 6 points

- 29 (6) Operating with a suspended or revoked license prior to
 30 restoration of operating privileges 12 points
- 31 (7) Obtaining a license by misrepresentation 12 points
- 32 (8) For the first conviction of driving while in an intoxicated
 33 condition or under the influence of controlled substances or drugs 8 points
- 34 (9) For the second or subsequent conviction of any of the following
 35 offenses however combined: driving while in an intoxicated condition,
 36 driving under the influence of controlled substances or drugs or driving with
 37 a blood alcohol content of [ten-hundredths] **eight-hundredths** of one percent
 38 or more by weight 12 points
- 39 (10) For the first conviction for driving with blood alcohol content [ten-hundredths]
 40 **eight-hundredths** of one percent or more by weight
- 41 In violation of state law 8 points
- 42 In violation of a county or municipal ordinance or federal
 43 law or regulation 8 points
- 44 (11) Any felony involving the use of a motor vehicle 12 points
- 45 (12) Knowingly permitting unlicensed operator to operate
 46 a motor vehicle 4 points
- 47 (13) For a conviction for failure to maintain financial responsibility
 48 pursuant to county or municipal ordinance or pursuant to section
 49 303.025, RSMo 4 points
- 50 2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess
 51 an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section
 52 302.020, when the director issues such operator a license or permit pursuant to the provisions
 53 of sections 302.010 to 302.340.
- 54 3. An additional two points shall be assessed when personal injury or property damage
 55 results from any violation listed in subsection 1 of this section and if found to be warranted and
 56 certified by the reporting court.
- 57 4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this
 58 section constitutes both a violation of a state law and a violation of a county or municipal
 59 ordinance, points may be assessed for either violation but not for both. Notwithstanding that an
 60 offense arising out of the same occurrence could be construed to be a violation of subdivisions
 61 (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more
 62 than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for
 63 offenses arising out of the same occurrence.
- 64 5. The director of revenue shall put into effect a system for staying the assessment of

65 points against an operator. The system shall provide that the satisfactory completion of a
66 driver-improvement program or, in the case of violations committed while operating a
67 motorcycle, a motorcycle- rider training course approved by the director of the department of
68 public safety, by an operator, when so ordered and verified by any court having jurisdiction over
69 any law of this state or county or municipal ordinance, regulating motor vehicles, other than a
70 violation committed in a commercial motor vehicle as defined in section 302.700, shall be
71 accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision
72 (1), (2), or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. For the
73 purposes of this subsection, the driver-improvement program shall meet or exceed the standards
74 of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a
75 violation which occurred during the operation of a motorcycle, the program shall meet the
76 standards established by the director of the department of public safety pursuant to sections
77 302.133 to 302.138. The completion of a driver-improvement program or a motorcycle-rider
78 training course shall not be accepted in lieu of points more than one time in any thirty-six-month
79 period and shall be completed within sixty days of the date of conviction in order to be accepted
80 in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions
81 of this subsection shall, within fifteen days after completion of the driver- improvement program
82 or motorcycle-rider training course by an operator, forward a record of the completion to the
83 director, all other provisions of the law to the contrary notwithstanding. The director shall
84 establish procedures for record keeping and the administration of this subsection.

302.304. 1. The director shall notify by ordinary mail any operator of the point value
2 charged against the operator's record when the record shows four or more points have been
3 accumulated in a twelve-month period.

4 2. In an action to suspend or revoke a license or driving privilege under this section
5 points shall be accumulated on the date of conviction. No case file of any conviction for a
6 driving violation for which points may be assessed pursuant to section 302.302 may be closed
7 until such time as a copy of the record of such conviction is forwarded to the department of
8 revenue.

9 3. The director shall suspend the license and driving privileges of any person whose
10 driving record shows the driver has accumulated eight points in eighteen months.

11 4. The license and driving privilege of any person whose license and driving privilege
12 have been suspended under the provisions of sections 302.010 to 302.540 except those persons
13 whose license and driving privilege have been suspended under the provisions of subdivision (8)
14 of subsection 1 of section 302.302 or has accumulated sufficient points together with a
15 conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of
16 financial responsibility with the department of revenue, in accordance with chapter 303, RSMo,

17 and is otherwise eligible, shall be reinstated as follows:

18 (1) In the case of an initial suspension, thirty days after the effective date of the
19 suspension;

20 (2) In the case of a second suspension, sixty days after the effective date of the
21 suspension;

22 (3) In the case of the third and subsequent suspensions, ninety days after the effective
23 date of the suspension. Unless proof of financial responsibility is filed with the department of
24 revenue, a suspension shall continue in effect for two years from its effective date.

25 5. The period of suspension of the driver's license and driving privilege of any person
26 under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has
27 accumulated sufficient points together with a conviction under subdivision (10) of subsection
28 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving
29 privilege issued by the director of revenue for the limited purpose of driving between a residence
30 and a place of employment, or to and from an alcohol education or treatment program, or for
31 both between a residence and a place of employment and to and from such a program. Upon
32 completion of such period of restricted driving privilege, upon compliance with other
33 requirements of law and upon filing of proof of financial responsibility with the department of
34 revenue, in accordance with chapter 303, RSMo, the license and driving privilege shall be
35 reinstated.

36 6. If the person fails to maintain proof of financial responsibility in accordance with
37 chapter 303, RSMo, the person's driving privilege and license shall be resuspended.

38 7. The director shall revoke the license and driving privilege of any person when the
39 person's driving record shows such person has accumulated twelve points in twelve months or
40 eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation
41 period of any person whose license and driving privilege have been revoked under the provisions
42 of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the
43 department of revenue in accordance with chapter 303, RSMo, and is otherwise eligible, shall
44 be terminated by a notice from the director of revenue after one year from the effective date of
45 the revocation. Unless proof of financial responsibility is filed with the department of revenue,
46 except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for
47 a period of two years from its effective date. If the person fails to maintain proof of financial
48 responsibility in accordance with chapter 303, RSMo, the person's license and driving privilege
49 shall be rerevoked. Any person whose license and driving privilege have been revoked under
50 the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of
51 the revocation from the director, pass the complete driver examination and apply for a new
52 license before again operating a motor vehicle upon the highways of this state.

53 8. If, prior to conviction for an offense that would require suspension or revocation of
54 a person's license under the provisions of this section, the person's total points accumulated are
55 reduced, pursuant to the provisions of section 302.306, below the number of points required for
56 suspension or revocation pursuant to the provisions of this section, then the person's license shall
57 not be suspended or revoked until the necessary points are again obtained and accumulated.

58 9. If any person shall neglect or refuse to surrender the person's license, as provided
59 herein, the director shall direct the state highway patrol or any peace or police officer to secure
60 possession thereof and return it to the director.

61 10. Upon the issuance of a reinstatement or termination notice after a suspension or
62 revocation of any person's license and driving privilege under the provisions of sections 302.010
63 to 302.540, the accumulated point value shall be reduced to four points, except that the points
64 of any person serving as a member of the armed forces of the United States outside the limits of
65 the United States during a period of suspension or revocation shall be reduced to zero upon the
66 date of the reinstatement or termination of notice. It shall be the responsibility of such member
67 of the armed forces to submit copies of official orders to the director of revenue to substantiate
68 such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary
69 notwithstanding, the effective date of the four points remaining on the record upon reinstatement
70 or termination shall be the date of the reinstatement or termination notice.

71 11. No credit toward reduction of points shall be given during periods of suspension or
72 revocation or any period of driving under a hardship driving privilege granted by a court.

73 12. Any person or nonresident whose license or privilege to operate a motor vehicle in
74 this state has been suspended or revoked under this or any other law shall, before having the
75 license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee
76 of twenty dollars which shall be in addition to all other fees provided by law.

77 13. Notwithstanding any other provision of law to the contrary, if after two years from
78 the effective date of any suspension or revocation issued under this chapter, the person or
79 nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such
80 license or privilege to operate a motor vehicle in this state.

81 14. No person who has had a license to operate a motor vehicle suspended or revoked
82 as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of
83 subsection 1 of section 302.302 shall have that license reinstated until such person has
84 participated in and successfully completed a substance abuse traffic offender program defined
85 in section 302.010, except the department may waive such requirement upon completion of a
86 comparable program or upon good cause shown or the court may waive such requirement upon
87 good cause shown. The court in making this determination shall consider the person's driving
88 record, the circumstances surrounding the offense and the likelihood of the person committing

89 a like offense in the future. Assignment recommendations, based upon the needs assessment as
90 described in subdivision (21) of section 302.010, shall be delivered in writing to the person with
91 written notice that the person is entitled to have such assignment recommendations reviewed by
92 the court if the person objects to the recommendations. The person may file a motion in the
93 associate division of the circuit court, on a printed form provided by the state courts
94 administrator, to have the court hear and determine such motion pursuant to the provisions of
95 chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or
96 entity making the needs assessment as the respondent and a copy of the motion shall be served
97 upon the respondent in any manner allowed by law. Such assessment and compliance with the
98 court determination of the motion shall satisfy the provisions of this section for the purpose of
99 reinstating such person's license to operate a motor vehicle. The respondent's personal
100 appearance at any hearing conducted pursuant to this subsection shall not be necessary unless
101 directed by the court.

102 15. The fees for the program authorized in subsection 14 of this section, or a portion
103 thereof to be determined by the department of mental health, shall be paid by the person enrolled
104 in the program. Any person who is enrolled in the program shall pay, in addition to any fee
105 charged for the program, a supplemental fee of sixty dollars. The administrator of the program
106 shall remit to the division of alcohol and drug abuse of the department of mental health the
107 supplemental fee for all persons enrolled in the program, less two percent for administrative
108 costs. The supplemental fees received by the department of mental health pursuant to this
109 section shall be deposited in the mental health earnings fund which is created in section 630.053,
110 RSMo.

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309,
2 the director of revenue shall return the license to the operator immediately upon the termination
3 of the period of suspension and upon compliance with the requirements of chapter 303, RSMo.

4 2. Any operator whose license is revoked pursuant to these sections, upon the
5 termination of the period of revocation, shall apply for a new license in the manner prescribed
6 by law.

7 3. (1) All circuit courts or the director of revenue shall have jurisdiction to hear
8 applications and make eligibility determinations granting limited driving privileges. Any
9 application may be made in writing to the director of revenue and the person's reasons for
10 requesting the limited driving privilege shall be made therein.

11 (2) When any court of record having jurisdiction or the director of revenue finds that an
12 operator is required to operate a motor vehicle in connection with any of the following:

- 13 (a) A business, occupation, or employment;
14 (b) Seeking medical treatment for such operator;

- 15 (c) Attending school or other institution of higher education;
16 (d) Attending alcohol or drug treatment programs; or
17 (e) Any other circumstance the court or director finds would create an undue hardship
18 on the operator; the court or director may grant such limited driving privilege as the
19 circumstances of the case justify if the court or director finds undue hardship would result to the
20 individual, and while so operating a motor vehicle within the restrictions and limitations of the
21 limited driving privilege the driver shall not be guilty of operating a motor vehicle without a
22 valid license.
- 23 (3) An operator may make application to the proper court in the county in which such
24 operator resides or in the county in which is located the operator's principal place of business or
25 employment. Any application for a limited driving privilege made to a circuit court shall name
26 the director as a party defendant and shall be served upon the director prior to the grant of any
27 limited privilege, and shall be accompanied by a copy of the applicant's driving record as
28 certified by the director. Any applicant for a limited driving privilege shall have on file with the
29 department of revenue proof of financial responsibility as required by chapter 303, RSMo. Any
30 application by a person who transports persons or property as classified in section 302.015 may
31 be accompanied by proof of financial responsibility as required by chapter 303, RSMo, but if
32 proof of financial responsibility does not accompany the application, or if the applicant does not
33 have on file with the department of revenue proof of financial responsibility, the court or the
34 director has discretion to grant the limited driving privilege to the person solely for the purpose
35 of operating a vehicle whose owner has complied with chapter 303, RSMo, for that vehicle, and
36 the limited driving privilege must state such restriction. When operating such vehicle under such
37 restriction the person shall carry proof that the owner has complied with chapter 303, RSMo, for
38 that vehicle.
- 39 (4) The court order or the director's grant of the limited driving privilege shall indicate
40 the termination date of the privilege, which shall be not later than the end of the period of
41 suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the
42 director, and a copy shall be given to the driver which shall be carried by the driver whenever
43 such driver operates a motor vehicle. The director of revenue upon granting a limited driving
44 privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall
45 carry a copy of the limited driving privilege while operating a motor vehicle. A conviction
46 which results in the assessment of points pursuant to section 302.302, other than a violation of
47 a municipal stop sign ordinance where no accident is involved, against a driver who is operating
48 a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points
49 are assessed to the person's driving record. If the date of arrest is prior to the issuance of the
50 limited driving privilege, the privilege shall not be terminated. The director shall notify by

51 ordinary mail the driver whose privilege is so terminated.

52 (5) Except as provided in subdivision (6) of this subsection, no person is eligible to
53 receive a limited driving privilege who at the time of application for a limited driving privilege
54 has previously been granted such a privilege within the immediately preceding five years, or
55 whose license has been suspended or revoked for the following reasons:

56 (a) A conviction of violating the provisions of section 577.010 or 577.012, RSMo, or any
57 similar provision of any federal or state law, or a municipal or county law where the judge in
58 such case was an attorney and the defendant was represented by or waived the right to an
59 attorney in writing, until the person has completed the first thirty days of a suspension or
60 revocation imposed pursuant to this chapter;

61 (b) A conviction of any felony in the commission of which a motor vehicle was used;

62 (c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5),
63 (6), (7), (8), (9), (10) [or], (11) **or** (12) of section 302.060;

64 (d) Because of operating a motor vehicle under the influence of narcotic drugs, a
65 controlled substance as defined in chapter 195, RSMo, or having left the scene of an accident as
66 provided in section 577.060, RSMo;

67 (e) Due to a revocation for the first time for failure to submit to a chemical test pursuant
68 to section 577.041, RSMo, or due to a refusal to submit to a chemical test in any other state, if
69 such person has not completed the first ninety days of such revocation;

70 (f) Violation more than once of the provisions of section 577.041, RSMo, or a similar
71 implied consent law of any other state;

72 (g) Disqualification of a commercial driver's license pursuant to sections 302.700 to
73 302.780, however, nothing in this subsection shall prevent a person holding a commercial
74 driver's license who is suspended or revoked as a result of an action occurring while not driving
75 a commercial motor vehicle or driving for pay, but while driving in an individual capacity as an
76 operator of a personal vehicle from applying for a limited driving privilege to operate a
77 commercial vehicle, if otherwise eligible for such limited privilege; or

78 (h) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not
79 completed the first thirty days of such suspension, provided the person is not otherwise ineligible
80 for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525
81 if such person has not completed such revocation.

82 (6) (a) Provided that pursuant to the provisions of this section, the applicant is not
83 otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the
84 manner prescribed in this subsection, allow a person who has had such person's license to operate
85 a motor vehicle revoked where that person cannot obtain a new license for a period of ten years,
86 as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege

87 pursuant to this subsection if such person has served at least three years of such disqualification
88 or revocation. Such person shall present evidence satisfactory to the court or the director that
89 such person has not been convicted of any offense related to alcohol, controlled substances or
90 drugs during the preceding three years and that the person's habits and conduct show that the
91 person no longer poses a threat to the public safety of this state.

92 (b) Provided that pursuant to the provisions of this section, the applicant is not otherwise
93 ineligible for a limited driving privilege or convicted of involuntary manslaughter while
94 operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the
95 manner prescribed in this subsection, allow a person who has had such person's license to operate
96 a motor vehicle revoked where that person cannot obtain a new license for a period of five years
97 because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of
98 section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person
99 has served at least two years of such disqualification or revocation. Such person shall present
100 evidence satisfactory to the court or the director that such person has not been convicted of any
101 offense related to alcohol, controlled substances or drugs during the preceding two years and that
102 the person's habits and conduct show that the person no longer poses a threat to the public safety
103 of this state. Any person who is denied a license permanently in this state because of an
104 alcohol-related conviction subsequent to a restoration of such person's driving privileges
105 pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege
106 pursuant to the provisions of this subdivision.

107 4. Any person who has received notice of denial of a request of limited driving privilege
108 by the director of revenue may make a request for a review of the director's determination in the
109 circuit court of the county in which the person resides or the county in which is located the
110 person's principal place of business or employment within thirty days of the date of mailing of
111 the notice of denial. Such review shall be based upon the records of the department of revenue
112 and other competent evidence and shall be limited to a review of whether the applicant was
113 statutorily entitled to the limited driving privilege.

114 5. The director of revenue shall promulgate rules and regulations necessary to carry out
115 the provisions of this section.

302.505. 1. The department shall suspend or revoke the license of any person upon its
2 determination that the person was arrested upon probable cause to believe such person was
3 driving a motor vehicle while the alcohol concentration in the person's blood, breath, or urine
4 was [ten-hundredths] **eight-hundredths** of one percent or more by weight, based on the
5 definition of alcohol concentration in section 302.500, or where such person was less than
6 twenty-one years of age when stopped and was stopped upon probable cause to believe such
7 person was driving while intoxicated in violation of section 577.010, RSMo, or driving with

8 excessive blood alcohol content in violation of section 577.012, RSMo, or upon probable cause
9 to believe such person violated a state, county or municipal traffic offense and such person was
10 driving with a blood alcohol content of two-hundredths of one percent or more by weight.

11 2. The department shall make a determination of these facts on the basis of the report of
12 a law enforcement officer required in section 302.510, and this determination shall be final
13 unless a hearing is requested and held. If a hearing is held, the department shall review the
14 matter and make a final determination on the basis of evidence received at the hearing.

15 3. The determination of these facts by the department is independent of the determination
16 of the same or similar facts in the adjudication of any criminal charges arising out of the same
17 occurrence. The disposition of those criminal charges shall not affect any suspension or
18 revocation under this section.

302.510. 1. Except as provided in subsection 3 of this section, a law enforcement officer
2 who arrests any person for a violation of any state statute related to driving while intoxicated or
3 for a violation of a county or municipal ordinance prohibiting driving while intoxicated or a
4 county or municipal alcohol related traffic offense, and in which the alcohol concentration in the
5 person's blood, breath, or urine was [ten-hundredths] **eight-hundredths** of one percent or more
6 by weight or two-hundredths of one percent or more by weight for anyone less than twenty-one
7 years of age, shall forward to the department a verified report of all information relevant to the
8 enforcement action, including information which adequately identifies the arrested person, a
9 statement of the officer's grounds for belief that the person violated any state statute related to
10 driving while intoxicated or was less than twenty-one years of age and was driving with
11 two-hundredths of one percent or more by weight of alcohol in the person's blood, or a county
12 or municipal ordinance prohibiting driving while intoxicated or a county or municipal alcohol
13 related traffic offense, a report of the results of any chemical tests which were conducted, and
14 a copy of the citation and complaint filed with the court.

15 2. The report required by this section shall be made on forms supplied by the department
16 or in a manner specified by regulations of the department.

17 3. A county or municipal ordinance prohibiting driving while intoxicated or a county or
18 municipal alcohol related traffic offense may not be the basis for suspension or revocation of a
19 driver's license pursuant to sections 302.500 to 302.540, unless the arresting law enforcement
20 officer, other than an elected peace officer or official, has been certified by the director of the
21 department of public safety pursuant to the provisions of sections 590.100 to 590.180, RSMo.

302.520. 1. Whenever the chemical test results are available to the law enforcement
2 officer while the arrested person is still in custody, and where the results show an alcohol
3 concentration of [ten-hundredths] **eight-hundredths** of one percent or more by weight of alcohol
4 in such person's blood or where such person is less than twenty-one years of age and the results

5 show that there is two-hundredths of one percent or more of alcohol in the person's blood, the
6 officer, acting on behalf of the department, shall serve the notice of suspension or revocation
7 personally on the arrested person.

8 2. When the law enforcement officer serves the notice of suspension or revocation, the
9 officer shall take possession of any driver's license issued by this state which is held by the
10 person. When the officer takes possession of a valid driver's license issued by this state, the
11 officer, acting on behalf of the department, shall issue a temporary permit which is valid for
12 fifteen days after its date of issuance and shall also give the person arrested a notice which shall
13 inform the person of all rights and responsibilities pursuant to sections 302.500 to 302.540. The
14 notice shall be in such form so that the arrested person may sign the original as evidence of
15 receipt thereof. The notice shall also contain a detachable form permitting the arrested person
16 to request a hearing. Signing the hearing request form and mailing such request to the
17 department shall constitute a formal application for a hearing.

18 3. A copy of the completed notice of suspension or revocation form, a copy of any
19 completed temporary permit form, a copy of the notice of rights and responsibilities given to the
20 arrested person, including any request for hearing, and any driver's license taken into possession
21 pursuant to this section shall be forwarded to the department by the officer along with the report
22 required in section 302.510.

23 4. The department shall provide forms for notice of suspension or revocation, for notice
24 of rights and responsibilities, for request for a hearing and for temporary permits to law
25 enforcement agencies.

302.541. 1. In addition to other fees required by law, any person who has had a license
2 to operate a motor vehicle suspended or revoked following a determination, pursuant to section
3 302.505, or section 577.010, 577.012, 577.041 or 577.510, RSMo, or any county or municipal
4 ordinance, where the judge in such case was an attorney and the defendant was represented by
5 or waived the right to an attorney, that such person was driving while intoxicated or with a blood
6 alcohol content of [ten-hundredths] **eight-hundredths** of one percent or more by weight or,
7 where such person was at the time of the arrest less than twenty-one years of age and was driving
8 with a blood alcohol content of two-hundredths of one percent or more by weight, shall pay an
9 additional fee of twenty-five dollars prior to the reinstatement or reissuance of the license.

10 2. Any person less than twenty-one years of age whose driving privilege has been
11 suspended or revoked solely for a first determination pursuant to sections 302.500 to 302.540
12 that such person was driving a motor vehicle with two-hundredths of one percent or more blood
13 alcohol content is exempt from filing proof of financial responsibility with the department of
14 revenue in accordance with chapter 303, RSMo, as a prerequisite for reinstatement of driving
15 privileges or obtaining a restricted driving privilege as provided by section 302.525.

304.012. 1. Every person operating a motor vehicle on the roads and highways of this state shall drive the vehicle in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any person and shall exercise the highest degree of care.

2. Any person who violates the provisions of this section is guilty of a class B misdemeanor, unless an accident is involved **or there are aggravating circumstances** then it shall be a class A misdemeanor. **For the purposes of this section, the term "aggravating circumstances" shall be defined as circumstances in which any person suffers death or serious physical injury, as defined in section 565.002, RSMo, as a result of the violation of this section.**

306.112. 1. A person commits the crime of operating a vessel with excessive blood alcohol content if [he] **such person** operates a vessel on the Mississippi River, Missouri River or the lakes of this state with [ten-hundredths] **eight-hundredths** of one percent or more by weight of alcohol in [his] **said person's** blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, or saliva.

3. Any person convicted of operating a vessel with excessive blood alcohol content is guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A misdemeanor upon conviction for the second violation, and guilty of a class D felony for conviction for the third and subsequent violations.

306.117. 1. Upon the trial of any person for violation of any of the provisions of section 306.111 or 306.112 the amount of alcohol or drugs in the person's blood at the time of the act alleged as shown by any chemical analysis of the person's blood, breath, or saliva is admissible in evidence and the provisions of subdivision (5) of section 491.060, RSMo, shall not prevent the admissibility or introduction of such evidence if otherwise admissible. Evidence of alcohol in a person's blood shall be given the following effect:

(1) If there was five-hundredths of one percent or less by weight of alcohol in [his] **the person's** blood, it shall be presumed that the person was not intoxicated at the time the specimen was obtained;

(2) If there was in excess of five-hundredths of one percent but less than [ten-hundredths] **eight-hundredths** of one percent by weight of alcohol in [his] **the person's** blood, the fact shall not give rise to any presumption that the person was or was not intoxicated, but the fact may be considered with other competent evidence in determining whether the person was intoxicated;

(3) If there was [ten-hundredths] **eight-hundredths** of one percent or more by weight

16 of alcohol in the person's blood, this shall be prima facie evidence that the person was
17 intoxicated at the time the specimen was taken.

18 2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per
19 one hundred milliliters of blood.

20 3. A chemical analysis of a person's breath, blood, or saliva, in order to give rise to the
21 presumption or to have the effect provided for in subsection 1 of this section, shall have been
22 performed as provided in sections 306.111 to 306.119 and in accordance with methods and
23 standards approved by the department of health.

24 4. The provisions of this section shall not be construed as limiting the introduction of
25 any other competent evidence bearing upon the question whether the person was intoxicated or
26 under the influence of a controlled substance, or drug, or a combination of either or both with
27 or without alcohol.

556.061. In this code, unless the context requires a different definition, the following
2 shall apply:

3 (1) "Affirmative defense" has the meaning specified in section 556.056;

4 (2) "Burden of injecting the issue" has the meaning specified in section 556.051;

5 (3) "Commercial film and photographic print processor", any person who develops
6 exposed photographic film into negatives, slides or prints, or who makes prints from negatives
7 or slides, for compensation. The term commercial film and photographic print processor shall
8 include all employees of such persons but shall not include a person who develops film or makes
9 prints for a public agency;

10 (4) "Confinement":

11 (a) A person is in confinement when such person is held in a place of confinement
12 pursuant to arrest or order of a court, and remains in confinement until:

13 a. A court orders the person's release; or

14 b. The person is released on bail, bond, or recognizance, personal or otherwise; or

15 c. A public servant having the legal power and duty to confine the person authorizes his
16 release without guard and without condition that he return to confinement;

17 (b) A person is not in confinement if:

18 a. The person is on probation or parole, temporary or otherwise; or

19 b. The person is under sentence to serve a term of confinement which is not continuous,
20 or is serving a sentence under a work-release program, and in either such case is not being held
21 in a place of confinement or is not being held under guard by a person having the legal power
22 and duty to transport the person to or from a place of confinement;

23 (5) "Consent": consent or lack of consent may be expressed or implied. Assent does not
24 constitute consent if:

- 25 (a) It is given by a person who lacks the mental capacity to authorize the conduct charged
26 to constitute the offense and such mental incapacity is manifest or known to the actor; or
- 27 (b) It is given by a person who by reason of youth, mental disease or defect, or
28 intoxication, is manifestly unable or known by the actor to be unable to make a reasonable
29 judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
- 30 (c) It is induced by force, duress or deception;
- 31 (6) "Criminal negligence" has the meaning specified in section 562.016, RSMo;
- 32 (7) "Custody", a person is in custody when the person has been arrested but has not been
33 delivered to a place of confinement;
- 34 (8) "Dangerous felony" means the felonies of arson in the first degree, assault in the first
35 degree, forcible rape, forcible sodomy, kidnapping, murder in the second degree and robbery in
36 the first degree;
- 37 (9) "Dangerous instrument" means any instrument, article or substance, which, under the
38 circumstances in which it is used, is readily capable of causing death or other serious physical
39 injury;
- 40 (10) "Deadly weapon" means any firearm, loaded or unloaded, or any weapon from
41 which a shot, readily capable of producing death or serious physical injury, may be discharged,
42 or a switchblade knife, dagger, billy, blackjack or metal knuckles;
- 43 (11) "Felony" has the meaning specified in section 556.016;
- 44 (12) "Forcible compulsion" means either:
- 45 (a) Physical force that overcomes reasonable resistance; or
- 46 (b) A threat, express or implied, that places a person in reasonable fear of death, serious
47 physical injury or kidnapping of such person or another person;
- 48 (13) "Incapacitated" means that physical or mental condition, temporary or permanent,
49 in which a person is unconscious, unable to appraise the nature of such person's conduct, or
50 unable to communicate unwillingness to an act. A person is not incapacitated with respect to an
51 act committed upon such person if he or she became unconscious, unable to appraise the nature
52 of such person's conduct or unable to communicate unwillingness to an act, after consenting to
53 the act;
- 54 (14) "Infraction" has the meaning specified in section 556.021;
- 55 (15) "Inhabitable structure" has the meaning specified in section 569.010, RSMo;
- 56 (16) "Knowingly" has the meaning specified in section 562.016, RSMo;
- 57 (17) "Law enforcement officer" means any public servant having both the power and
58 duty to make arrests for violations of the laws of this state, and federal law enforcement officers
59 authorized to carry firearms and to make arrests for violations of the laws of the United States;
- 60 (18) "Misdemeanor" has the meaning specified in section 556.016;

61 (19) **"Moderate physical injury" means physical injury requiring medical attention**
62 **at a hospital;**

63 (20) "Offense" means any felony, misdemeanor or infraction;

64 [(20)] (21) "Physical injury" means physical pain, illness, or any impairment of physical
65 condition;

66 [(21)] (22) "Place of confinement" means any building or facility and the grounds thereof
67 wherein a court is legally authorized to order that a person charged with or convicted of a crime
68 be held;

69 [(22)] (23) "Possess" or "possessed" means having actual or constructive possession of
70 an object with knowledge of its presence. A person has actual possession if such person has the
71 object on his or her person or within easy reach and convenient control. A person has
72 constructive possession if such person has the power and the intention at a given time to exercise
73 dominion or control over the object either directly or through another person or persons.
74 Possession may also be sole or joint. If one person alone has possession of an object, possession
75 is sole. If two or more persons share possession of an object, possession is joint;

76 [(23)] (24) "Public servant" means any person employed in any way by a government of
77 this state who is compensated by the government by reason of such person's employment, any
78 person appointed to a position with any government of this state, or any person elected to a
79 position with any government of this state. It includes, but is not limited to, legislators, jurors,
80 members of the judiciary and law enforcement officers. It does not include witnesses;

81 [(24)] (25) "Purposely" has the meaning specified in section 562.016, RSMo;

82 [(25)] (26) "Recklessly" has the meaning specified in section 562.016, RSMo;

83 [(26)] (27) "Ritual" or "ceremony" means an act or series of acts performed by two or
84 more persons as part of an established or prescribed pattern of activity;

85 [(27)] (28) "Serious emotional injury", an injury that creates a substantial risk of
86 temporary or permanent medical or psychological damage, manifested by impairment of a
87 behavioral, cognitive or physical condition. Serious emotional injury shall be established by
88 testimony of qualified experts upon the reasonable expectation of probable harm to a reasonable
89 degree of medical or psychological certainty;

90 [(28)] (29) "Serious physical injury" means physical injury that creates a substantial risk
91 of death or that causes serious disfigurement or protracted loss or impairment of the function of
92 any part of the body;

93 [(29)] (30) "Sexual conduct" means acts of human masturbation; deviate sexual
94 intercourse; sexual intercourse; or physical contact with a person's clothed or unclothed genitals,
95 pubic area, buttocks, or the breast of a female in an act of apparent sexual stimulation or
96 gratification;

97 [(30)] (31) "Sexual contact" means any touching of the genitals or anus of any person,
98 or the breast of any female person, or any such touching through the clothing, for the purpose of
99 arousing or gratifying sexual desire of any person;

100 [(31)] (32) "Sexual performance", any performance, or part thereof, which includes
101 sexual conduct by a child who is less than seventeen years of age;

102 [(32)] (33) "Voluntary act" has the meaning specified in section 562.011, RSMo.

577.012. 1. A person commits the crime of "driving with excessive blood alcohol
2 content" if such person operates a motor vehicle in this state with [ten-hundredths] **eight-**
3 **hundredths** of one percent or more by weight of alcohol in such person's blood.

4 2. As used in this section, percent by weight of alcohol in the blood shall be based upon
5 grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may
6 be shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes
7 of determining the alcoholic content of a person's blood under this section, the test shall be
8 conducted in accordance with the provisions of sections 577.020 to 577.041.

9 3. For the first offense, driving with excessive blood alcohol content is a class [C] **B**
10 misdemeanor.

577.020. 1. Any person who operates a motor vehicle upon the public highways of this
2 state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to
3 577.041, a chemical test or tests of the person's breath, blood, saliva or urine for the purpose of
4 determining the alcohol or drug content of the person's blood pursuant to the following
5 circumstances:

6 (1) If the person is arrested for any offense arising out of acts which the arresting officer
7 had reasonable grounds to believe were committed while the person was driving a motor vehicle
8 while in an intoxicated or drugged condition; or

9 (2) If the person is under the age of twenty-one, has been stopped by a law enforcement
10 officer, and the law enforcement officer has reasonable grounds to believe that such person was
11 driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more
12 by weight; or

13 (3) If the person is under the age of twenty-one, has been stopped by a law enforcement
14 officer, and the law enforcement officer has reasonable grounds to believe that such person has
15 committed a violation of the traffic laws of the state, or any political subdivision of the state, and
16 such officer has reasonable grounds to believe, after making such stop, that such person has a
17 blood alcohol content of two-hundredths of one percent or greater; [or]

18 (4) If the person is under the age of twenty-one, has been stopped at a sobriety
19 checkpoint or roadblock and the law enforcement officer has reasonable grounds to believe that
20 such person has a blood alcohol content of two-hundredths of one percent or greater[.];

21 **(5) If the person, while operating a motor vehicle, has been involved in a motor**
22 **vehicle collision which resulted in a fatality or a readily apparent serious physical injury**
23 **as defined in section 565.002, RSMo, and has been arrested as evidenced by the issuance**
24 **of a Uniform Traffic Ticket for the violation of any state law or county or municipal**
25 **ordinance with the exception of equipment violations contained in chapter 306, RSMo, or**
26 **similar provisions contained in county or municipal ordinances; or**

27 **(6) If the person, while operating a motor vehicle, has been involved in a motor**
28 **vehicle collision which resulted in a fatality.**

29

30 The test shall be administered at the direction of the law enforcement officer whenever the
31 person has been arrested or stopped for any reason.

32 2. The implied consent to submit to the chemical tests listed in subsection 1 of this
33 section shall be limited to not more than two such tests arising from the same arrest, incident or
34 charge.

35 3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid
36 pursuant to the provisions of sections 577.020 to 577.041 shall be performed according to
37 methods approved by the state department of health by licensed medical personnel or by a person
38 possessing a valid permit issued by the state department of health for this purpose.

39 4. The state department of health shall approve satisfactory techniques, devices,
40 equipment, or methods to be considered valid pursuant to the provisions of sections 577.020 to
41 577.041 and shall establish standards to ascertain the qualifications and competence of
42 individuals to conduct analyses and to issue permits which shall be subject to termination or
43 revocation by the state department of health.

44 5. The person tested may have a physician, or a qualified technician, chemist, registered
45 nurse, or other qualified person at the choosing and expense of the person to be tested, administer
46 a test in addition to any administered at the direction of a law enforcement officer. The failure
47 or inability to obtain an additional test by a person shall not preclude the admission of evidence
48 relating to the test taken at the direction of a law enforcement officer.

49 6. Upon the request of the person who is tested, full information concerning the test shall
50 be made available to [him] **such person.**

51 7. Any person given a chemical test of the person's breath pursuant to subsection 1 of
52 this section or a field sobriety test may be videotaped during any such test at the direction of the
53 law enforcement officer. Any such video recording made during the chemical test pursuant to
54 this subsection or a field sobriety test shall be admissible as evidence at either any trial of such
55 person for either a violation of any state law or county or municipal ordinance, or any license
56 revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo.

577.037. 1. Upon the trial of any person for violation of any of the provisions of section 2 565.024, RSMo, or section 565.060, RSMo, or section 577.010 or 577.012, or upon the trial of 3 any criminal action or violations of county or municipal ordinances or in any license suspension 4 or revocation proceeding pursuant to the provisions of chapter 302, RSMo, arising out of acts 5 alleged to have been committed by any person while driving a motor vehicle while in an 6 intoxicated condition, the amount of alcohol in the person's blood at the time of the act alleged 7 as shown by any chemical analysis of the person's blood, breath, saliva or urine is admissible in 8 evidence and the provisions of subdivision (5) of section 491.060, RSMo, shall not prevent the 9 admissibility or introduction of such evidence if otherwise admissible. If there was 10 [ten-hundredths] **eight-hundredths** of one percent or more by weight of alcohol in the person's 11 blood, this shall be prima facie evidence that the person was intoxicated at the time the specimen 12 was taken.

13 2. Percent by weight of alcohol in the blood shall be based upon grams of alcohol per 14 one hundred milliliters of blood or grams of alcohol per two hundred ten liters of breath.

15 3. The foregoing provisions of this section shall not be construed as limiting the 16 introduction of any other competent evidence bearing upon the question whether the person was 17 intoxicated.

18 4. A chemical analysis of a person's breath, blood, saliva or urine, in order to give rise 19 to the presumption or to have the effect provided for in subsection 1 of this section, shall have 20 been performed as provided in sections 577.020 to 577.041 and in accordance with methods and 21 standards approved by the state department of health.

22 5. Any charge alleging a violation of section 577.010 or 577.012 or any county or 23 municipal ordinance prohibiting driving while intoxicated or driving under the influence of 24 alcohol shall be dismissed with prejudice if a chemical analysis of the defendant's breath, blood, 25 saliva, or urine performed in accordance with sections 577.020 to 577.041 and rules promulgated 26 thereunder by the state department of health demonstrate that there was less than 27 [ten-hundredths] **eight-hundredths** of one percent of alcohol in the defendant's blood unless one 28 or more of the following considerations cause the court to find a dismissal unwarranted:

29 (1) There is evidence that the chemical analysis is unreliable as evidence of the 30 defendant's intoxication at the time of the alleged violation due to the lapse of time between the 31 alleged violation and the obtaining of the specimen;

32 (2) There is evidence that the defendant was under the influence of a controlled 33 substance, or drug, or a combination of either or both with or without alcohol; or

34 (3) There is substantial evidence of intoxication from physical observations of witnesses 35 or admissions of the defendant.

Section B. This act is hereby submitted to the qualified voters of this state for approval

2 or rejection at an election which is hereby ordered and which shall be held and conducted on the
3 Tuesday immediately following the first Monday in November, 2001, or at a special election to
4 be called by the governor for that purpose, pursuant to the laws and constitutional provisions of
5 this state applicable to general elections and the submission of referendum measures by initiative
6 petition, and it shall become effective when approved by a majority of the votes cast thereon at
7 such election and not otherwise.